COMMUNITY DEVELOPMENT COMMISSION
of the County of Los Angeles
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Executive Director

ADOPTED
Community Development Commission

#20 FEBRUARY 8, 2011

SACHI A. HAMAI
EXECUTIVE OFFICER

February 08, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPT RESOLUTION APPROVING ISSUANCE OF MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS FOR MULTIFAMILY HOUSING IN THE CITY OF BELL GARDENS (DISTRICT 1) (3 VOTE)

SUBJECT

This letter recommends that your Board adopt a Resolution approving the issuance of Multifamily Housing Mortgage Revenue Bonds to finance the construction and development of Terra Bella Apartments, a 65-unit multifamily rental housing development to be located in the City of Bell Gardens. This letter relates to another item on the agenda of the Board of Commissioners of the Housing Authority to authorize the Executive Director of the Housing Authority to apply to the California Debt Limit Allocation Committee for the bond allocation (CDLAC).

IT IS RECOMMENDED THAT YOUR BOARD:

1. Acting as a Responsible Agency for the Terra Bella Apartments Project (Project), certify that the County has independently considered the attached Initial Study/Mitigated Negative Declaration (IS/MND), prepared by the City of Bell Gardens as Lead Agency, and has reached its own conclusions regarding the environmental effects of the Project; and find that the mitigation measures identified in the IS/MND are adequate to avoid or reduce potential environmental impacts to below significant levels.

2. Adopt and instruct the Mayor to sign a Resolution, as required under Section 147(f) of the Internal Revenue Code of 1986, approving the issuance of Multifamily Housing Mortgage Revenue Bonds by the Housing Authority of the County of Los Angeles in an amount not exceeding $14,000,000 to Terra Bella L.P. (Developer), a California Limited Partnership, to finance the construction and development of Terra Bella Apartments, a 65-unit multifamily rental housing development to be located at 5714-5722 Clara Street in the City of Bell Gardens.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to approve the issuance of Multifamily Housing Mortgage Revenue Bonds in an aggregate amount not exceeding $14,000,000 in order to finance the construction and development of the Terra Bella Apartments.

FISCAL IMPACT/FINANCING

There is no impact on the County general fund. The bonds will be repaid solely through rent revenues collected by the Developer. The Developer will pay all fees and related costs.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Project, to be located at 5714-5722 Clara Street in the City of Bell Gardens, will be a three-story apartment building, comprised of 62 one-bedroom units and three two-bedroom units. All of the units excluding the manager's unit will be reserved for households with incomes that do not exceed 50% of the area median income for the Los Angeles-Long Beach Metropolitan Statistical Area, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development (HUD). The manager's unit will have no affordability requirements. The affordability requirements will remain in effect for 55 years. All affordable units will be occupied by seniors.

On January 10, 2011, the City Council of the City of Bell Gardens adopted a resolution authorizing the Housing Authority of the County of Los Angeles to issue multifamily revenue bonds to finance the construction and development of the Terra Bella Apartments.

Adoption of the Resolution by your Board is required prior to submission of the Housing Authority's application to CDLAC for a private activity bond allocation. This action does not, however, authorize the issuance and sale of the bonds. The Housing Authority will return to the Board of Commissioners for this authorization at a later date.

On January 21, 2011, the Housing Authority conducted a hearing at its office located at 2 Coral Circle in Monterey Park regarding the issuance of multifamily bonds to finance the Project, pursuant to Section 147(f) of the Internal Revenue Code. No comments were received at the public hearing concerning the issuance of the bonds or the nature and location of the Project.

The attached Resolution was prepared by Orrick Herrington and Sutcliffe, Housing Authority Bond Counsel, and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The Community Development Commission prepared an Environmental Assessment for this project pursuant to the requirements of the National Environmental Policy Act. Based on the conclusions and findings of the Environmental Assessment, a Finding of No Significant Impact was approved by the Certifying Official of the Community Development Commission on June 7, 2010. Following the required public and agency comment period, HUD issued a Release of Funds for the project on July 4, 2010.

As a responsible agency, and in accordance with the requirements of the California Environmental Quality Act (CEQA), the County reviewed the IS/MND prepared by the City of Bell Gardens and determined that the project will not have significant adverse impact on the environment. The County's consideration of the IS/MND, and filing of the Notice of Determination, satisfies CEQA Guidelines as stated in Article 7, Section 15096.

The environmental review record for this project is available for viewing by the public during regular business hours at the Commission's main office located at 2 Coral Circle, Monterey Park.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed action is a necessary step to provide bond financing for the Project, which will increase the supply of affordable multifamily housing in the County with long-term affordability.

Respectfully submitted,

SEAN ROGAN
Executive Director

SR:jwr

Enclosures

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS AND RELATED ACTIONS

WHEREAS, The Housing Authority of the County of Los Angeles (the "Authority") intends to adopt a plan of financing to sell and issue multifamily housing revenue bonds in one or more series issued from time to time, and at no time to exceed $14,000,000 in outstanding aggregate principal amount (the "Bonds"), in order to assist in financing the construction and development of a senior housing development consisting of 65 units located at 5714-5722 Clara Street in the City of Bell Gardens (the "Project"), to be owned by Terra Bella, Limited Partnership, a California limited partnership (or an affiliate or assign); and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), the Bonds are required to be approved prior to their issuance by the applicable elected representative of the governmental unit on whose behalf the bonds are expected to be issued and by each governmental unit having jurisdiction over the area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the interest on the Bonds may qualify for exclusion from gross income under Section 103 of the Internal Revenue Code of 1986 (the "Code"), only if the Bonds are approved in accordance with Section 147(f) of the Code; and

WHEREAS, the Project is located wholly within the County of Los Angeles, California; and

WHEREAS, this Board of Supervisors is the elected legislative body of the County and is the applicable elected representative of the Authority within the meaning of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, The Housing Authority of the County of Los Angeles has, following notice duly given, held a public hearing regarding the issuance of such Bonds on January 21, 2011, and now desires that the Board of Supervisors approve the issuance of such Bonds; and

WHEREAS, this Board hereby finds and declares that this resolution is being adopted pursuant to the powers granted by law;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above recitals, and each of them, are true and correct.

2. This Board of Supervisors hereby approves the issuance of the Bonds by the Authority to finance costs of the Project. It is the purpose and intent of this Board of Supervisors that this Resolution constitute approval of the Bonds by the applicable elected representative of the issuer of the Bonds and the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code.

3. The proper officers of the Authority are hereby authorized and directed to take whatever further action relating to the aforesaid financial assistance may be deemed reasonable and desirable, provided that the terms and conditions under which the bonds are to be issued and sold shall be approved by the Board of Commissioners of the Authority in the manner provided by law prior to the sale thereof.

4. The Executive Officer-Clerk of the Board of Supervisors or a deputy thereof is directed to certify and deliver a copy of this Resolution to the Authority.

5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Los Angeles, State of California, this 8th day of February, 2011, by the following vote:

AYES: SUPERVISORS MOLINA, RIDLEY-THOMAS, YAROSLAVSKY, KNABE AND ANTONOVICH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

By Mike Antonovich
Mayor, County of Los Angeles

ATTEST:

Sachi A. Hamai
Executive Officer-Clerk
of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By: Behnaz Tashakkori
Deputy

MITIGATED NEGATIVE DECLARATION

LACDC SENIOR HOUSING
5720 Clara Street
Bell Gardens, CA 91770

Lead Agency

City of Bell Gardens
7100 South Garfield Avenue
Bell Gardens, CA 90201
Contact: Carmen Morales, Interim Director of Community Development
562-806-7700

Project Applicant

Los Angeles Community Design Center
701 East Third Street, Suite 400
Los Angeles, CA 90013

Environmental Consultant

Phil Martin & Associates, Inc.
18551 Von Karman Avenue, Suite 140
Irvine, CA 92612
949-250-0503

SEPTEMBER 23, 2008

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1.0 PURPOSE

The City of Bell Gardens has prepared this Mitigated Negative Declaration for the purpose of identifying and evaluating the potential environmental impacts that could occur with the development of the proposed project consistent with the Guidelines of the California Environmental Quality Act (CEQA), for discretionary actions by the Lead Agency. The required discretionary approvals required for the project includes a Site Plan Review, Parcel Map, and a Variance. The project proposes to construct 65 affordable senior apartments on 1.7 acres. One unit will be reserved for the use by the property manager. The project also includes 70 parking spaces including 65 resident spaces, 4 guest spaces, and 1 handicap space. The project includes a Community Room for residents only along with 2 outdoor recreation areas for use by the residents. Construction is estimated to start December 2009 and be completed by December 2010.

1.1 LOCATION & ENVIRONMENTAL SETTING

The project is located in the City of Bell Gardens, Los Angeles County, California as shown in Figure 1, Regional Location Map. Specifically, the project is located at 5720/5722 Clara Street, which is east of Eastern Avenue and the Long Beach Freeway (710), west of Jaboneria, south of Florence Avenue, and north of the intersection of Eastern Avenue and Jaboneria as shown in Figure 2, Vicinity Map. An aerial photograph of the site is shown in Figure 3, Aerial Photograph.

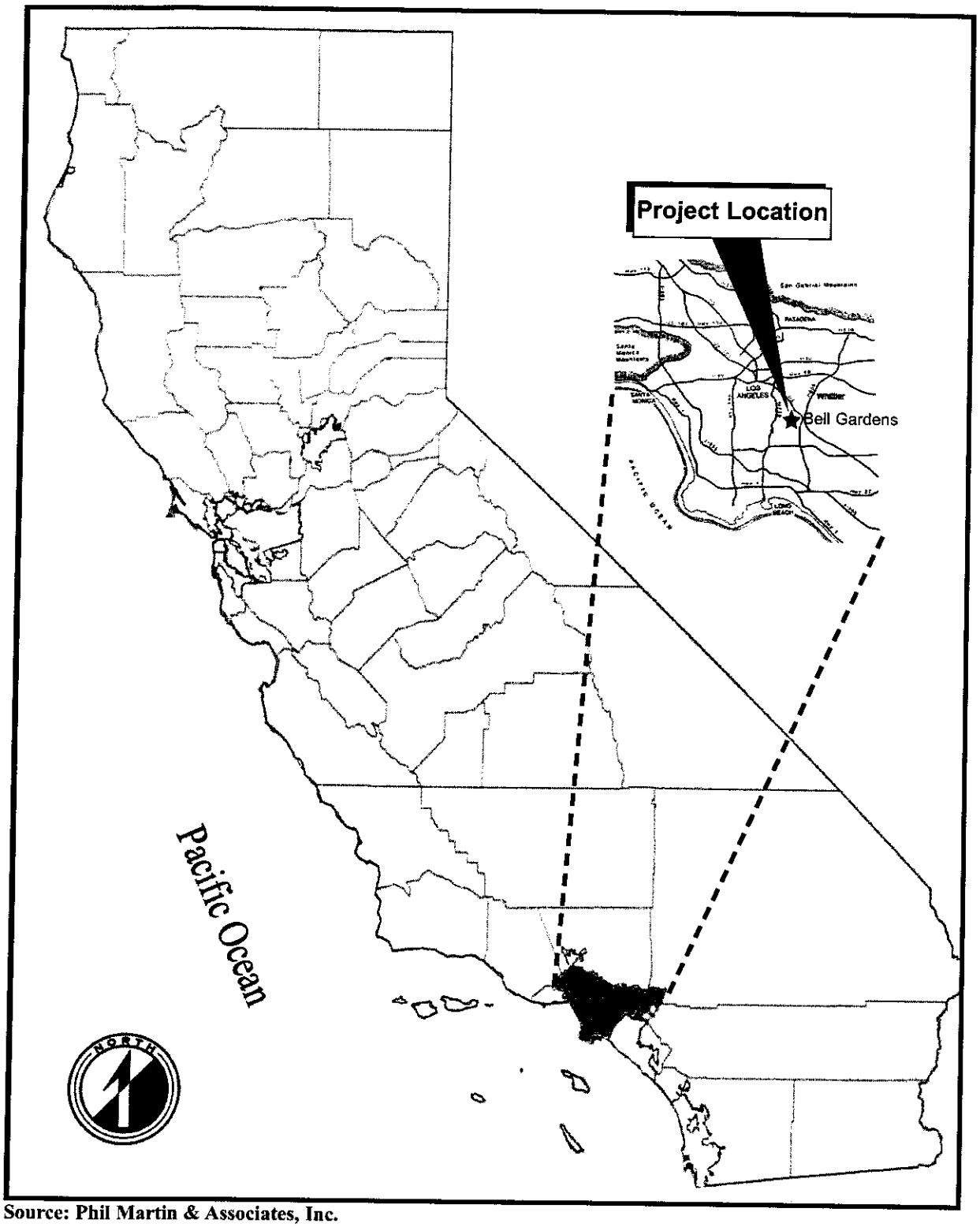
The site is currently developed with two vacant eight unit apartment buildings and a vacant 3,600 square foot commercial building. The two apartment buildings are located near the southern end, or rear of the site with vacant land between the apartment buildings and Clara Street. The commercial building is located at the northwest corner of the site adjacent to Clara Street. The landscaping on the property includes a few trees and shrubs and unmaintained turf. The General Plan land use designation is Mixed Use (Commercial/Residential) and the zoning is R-3, High Density Residential. The land uses adjacent to and surrounding the site include retail use to the west and residential uses to the north, east and south. Photographs of the project site and surrounding land uses along with a photo orientation map are shown in Figure 4. The land uses that surround the project site are as follows:

North

General Plan:	High Density Residential/Regional Commercial
Zoning:	Residential Planned Development, R-3 (Medium Density Multiple)
Land Use:	Retail Commercial/Single-Family Residential

South

General Plan:	Mixed Use (Commercial/Residential)
Zoning:	R-3, Residential Planned Development
Land Use:	Retail Commercial/Single-Family Residential



Source: Phil Martin & Associates, Inc.

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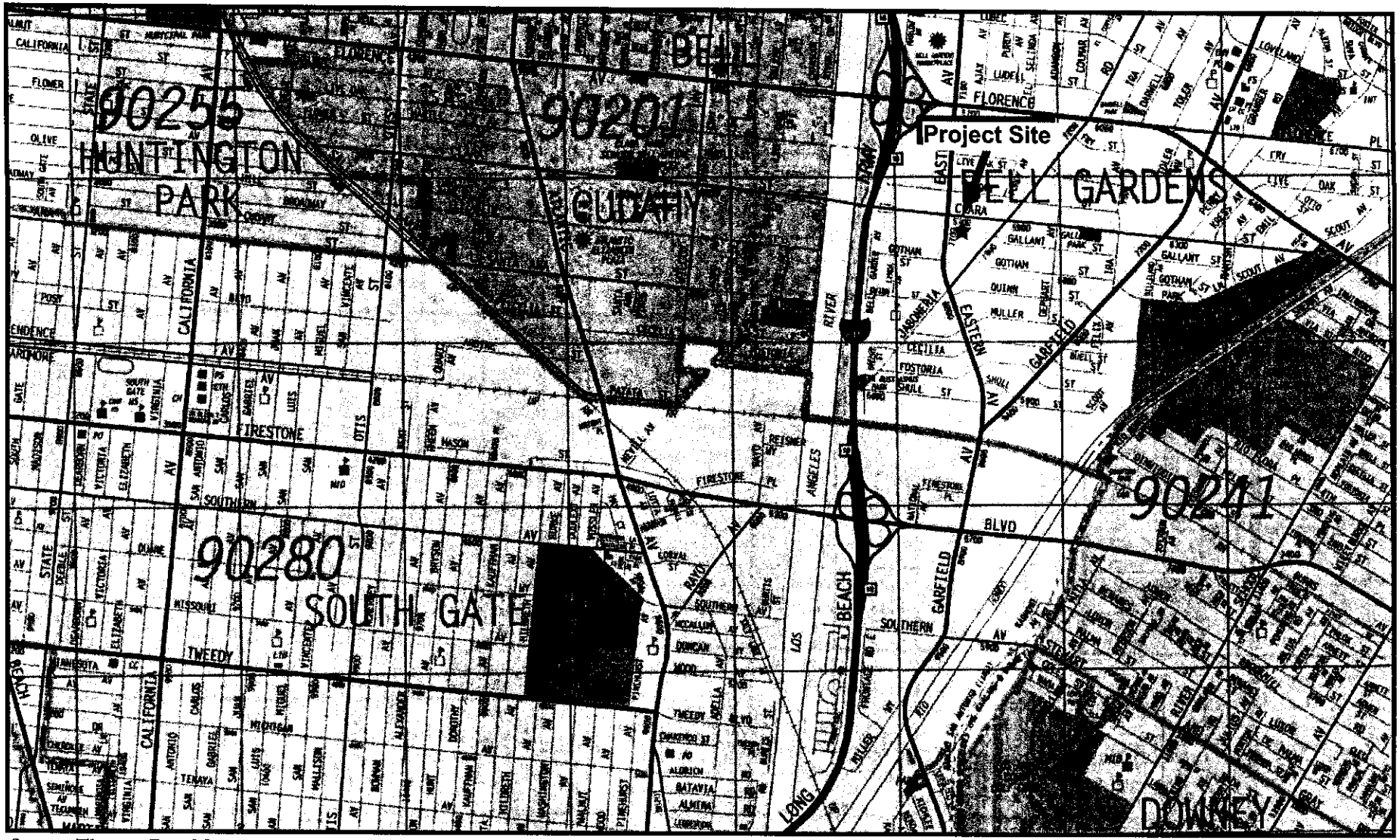
Phil Martin & Associates, Inc.

Figure 1
Regional Location Map



Source: Thomas Bros Maps

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Figure 2
Vicinity Map

Source: Google Maps

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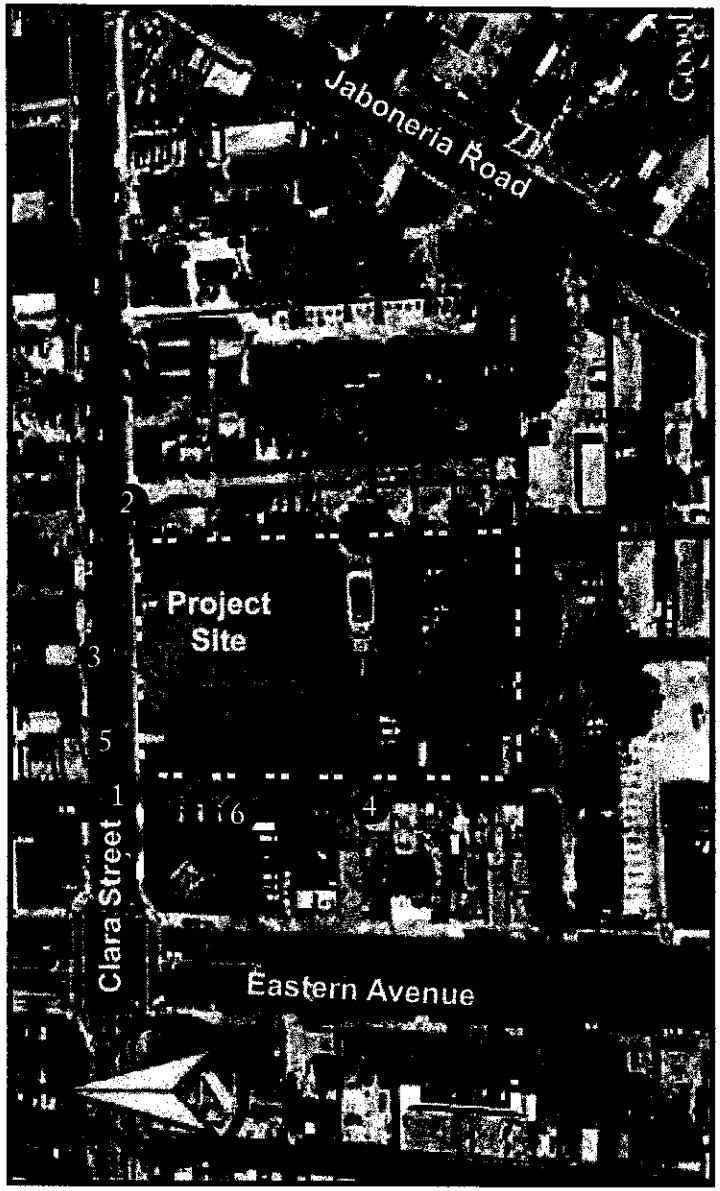
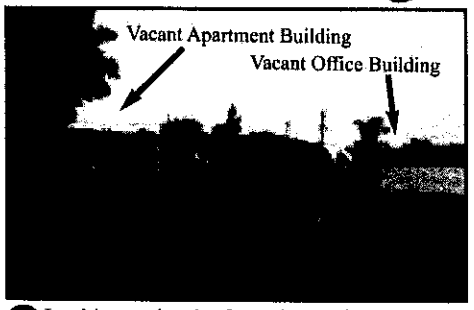
Figure 3
Aerial Photograph

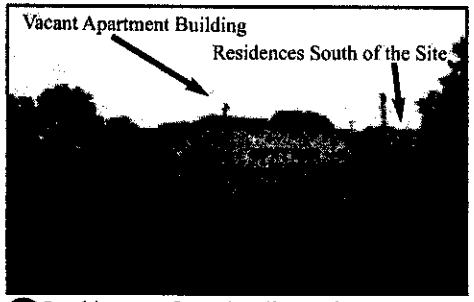


1 Looking South from Clara Street at the alley along the west project boundary.



2 Looking at the site from the northeast corner of the property from Clara Street.

3 Looking at the vacant office building south from Clara Street



4 Looking east from the alley at the vacant apartment building.

5 Looking at the residences north of the site.

6 Looking at the comercial uses west of the site.

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hil Martin & Associates, Inc.

Figure 4
Site Photos and Photo Orientation Map

East

General Plan:	High Density Residential
Zoning:	R-3 (Medium Density Multiple)
Land Use:	Single and Multi-Family Residential

West

General Plan:	Mixed Use (Commercial/Residential)
Zoning:	Commercial Manufacturing
Land Use:	Retail Commercial

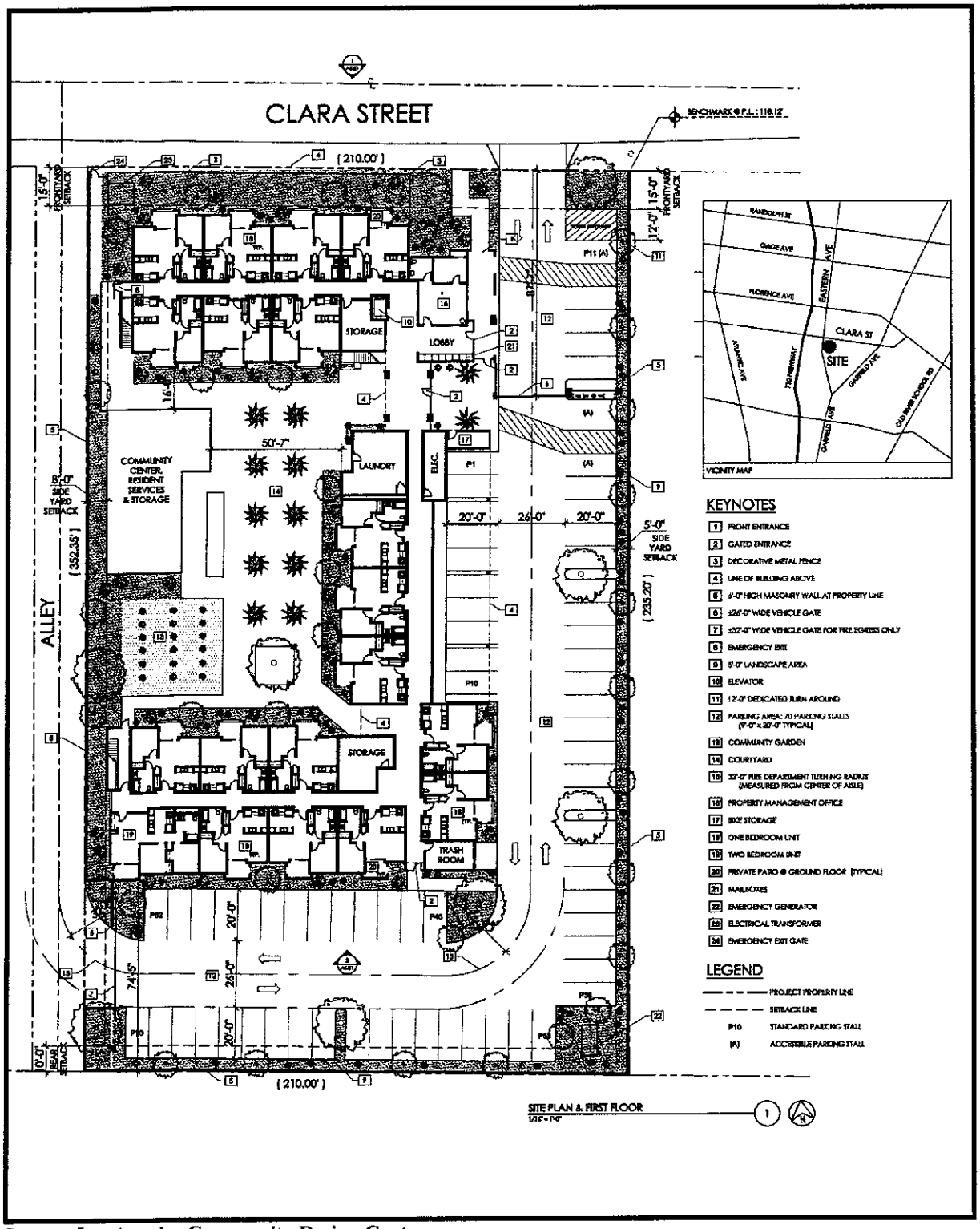
1.2 PROJECT DESCRIPTION

The project proposes to demolish the vacant buildings on the site, including the two eight unit apartments and the 3,600 square foot commercial building, to construct 64 one bedroom senior affordable apartments and 1 market rate apartment for the property manager for a total of 65 units. The project includes two apartment buildings that will vary from two to three stories in height and a separate single story Community Room. The project will provide 70 parking spaces for residents and guests. The resident parking spaces will be protected by an electric gate. The electric gate will be approximately 85 feet south of the main project entrance and prohibit public access to the resident parking area that includes 65 spaces for use by the residents. Each resident will have a keyless control to open the gate for access to the parking area. The project proposes to provide 4 visitor parking spaces and 1 handicap parking space at the northeast corner of the site, outside of the gated resident parking lot. A second gate for site access is proposed at the southwest corner of the site. This gate will provide fire emergency access only to the site from the adjacent alley. Residents and guests will not have site access at this location. The proposed site plan is shown in Figure 5.

1.2.1 Proposed Building Layout and Architecture

Layout: A 26-foot wide driveway and driveway approach is located at the northeast corner of the site to provide access into and out of the site. The parking area for residents and guests is proposed along the east and south sides of the parcel. The existing alley along the west project boundary will provide secondary emergency vehicle access only (police and fire); no public access to the site will be provided from the alley along the west project boundary. The apartment buildings will be horseshoe shaped on the site and the Community Center is proposed near the middle of the site adjacent to the alley.

Setbacks: A 15-foot wide landscaped setback is proposed along the northern project boundary that will separate the apartments from Clara Street. A 6-foot tall decorative wrought iron fence is proposed behind the existing sidewalk on Clara Street. An 8-foot wide landscape setback is proposed along the west project boundary with 5-foot wide landscaped setbacks along both the south and east boundaries.



Source: Los Angeles Community Design Center

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Figure 5
Proposed Site Plan

Height: The height of the apartment buildings range from 22' 8" above the finish grade for the two-story buildings to just under 35' above finished grade for the three-story building, including all roof lines and architectural elements. Front and rear building elevations are shown in Figures 6 and 7, respectively. The total height of the two- and three-story buildings are below the maximum 35 foot permitted height for buildings in the R3 zone per the City Zoning Code. The R-3 zoning designation allows buildings up to 35 feet in height or two stories, whichever is less. Therefore, the project will require a height variance to allow the proposed three story buildings even though they are less than 35 feet in height as allowed by the R-3 zoning.

Architecture: The proposed architecture of the apartment buildings and the Community Center is Spanish Colonial. The color of the buildings will be earth tones that will complement and enhance the Spanish Colonial architectural design. The exterior of the buildings will be stucco with tile mansard roofs. There will be decorative wrought iron on the exterior of the upper floor windows, color tile window borders and moldings, and accent tiles associated with key exterior features. A decorative metal fence will be constructed along the north project boundary to restrict public access.

1.2.2 Access, Circulation, and Parking

A 26-foot wide driveway will provide ingress and egress to the project at the northeast corner of the site. The 26-foot wide driveway will extend along the entire length of the east and south project boundary to provide vehicular movement through the site. The driveway along the southern project boundary will connect with the existing alley along the west property line. A locked gate will allow emergency fire truck access only; no public site access will be allowed from the alley. An electronic gate will be installed across the drive aisle approximately 85 feet south of Clara Street to restrict public access to the parking spaces for the residents. The residents will have keyless remotes to control the electronic gate for access to the resident parking area.

The project proposes a total of 70 parking spaces, including 65 resident spaces, 4 visitor spaces, 1 turn-around and 1 handicap space. The 65 resident parking spaces will be protected for use by the residents only with an electronic gate. The 4 visitor spaces, 1 handicap space, and 1 turn-around space, which are at the northeast corner of the site, are outside of the gated resident parking area and available for public use.

1.3 INTENDED USE OF THIS DOCUMENT

In addition to identifying and evaluating the potential environmental impacts that could occur with the development of the project as proposed, the evaluation also serves to determine the level of environmental analysis required to adequately prepare and adopt the required environmental documents, and provide the basis for input from members of the public and public agencies. Pursuant to Sections 15050, 15051, and 15367 of the State CEQA Guidelines, the City of Bell Gardens is the Lead Agency in the preparation of this Mitigated Negative Declaration.

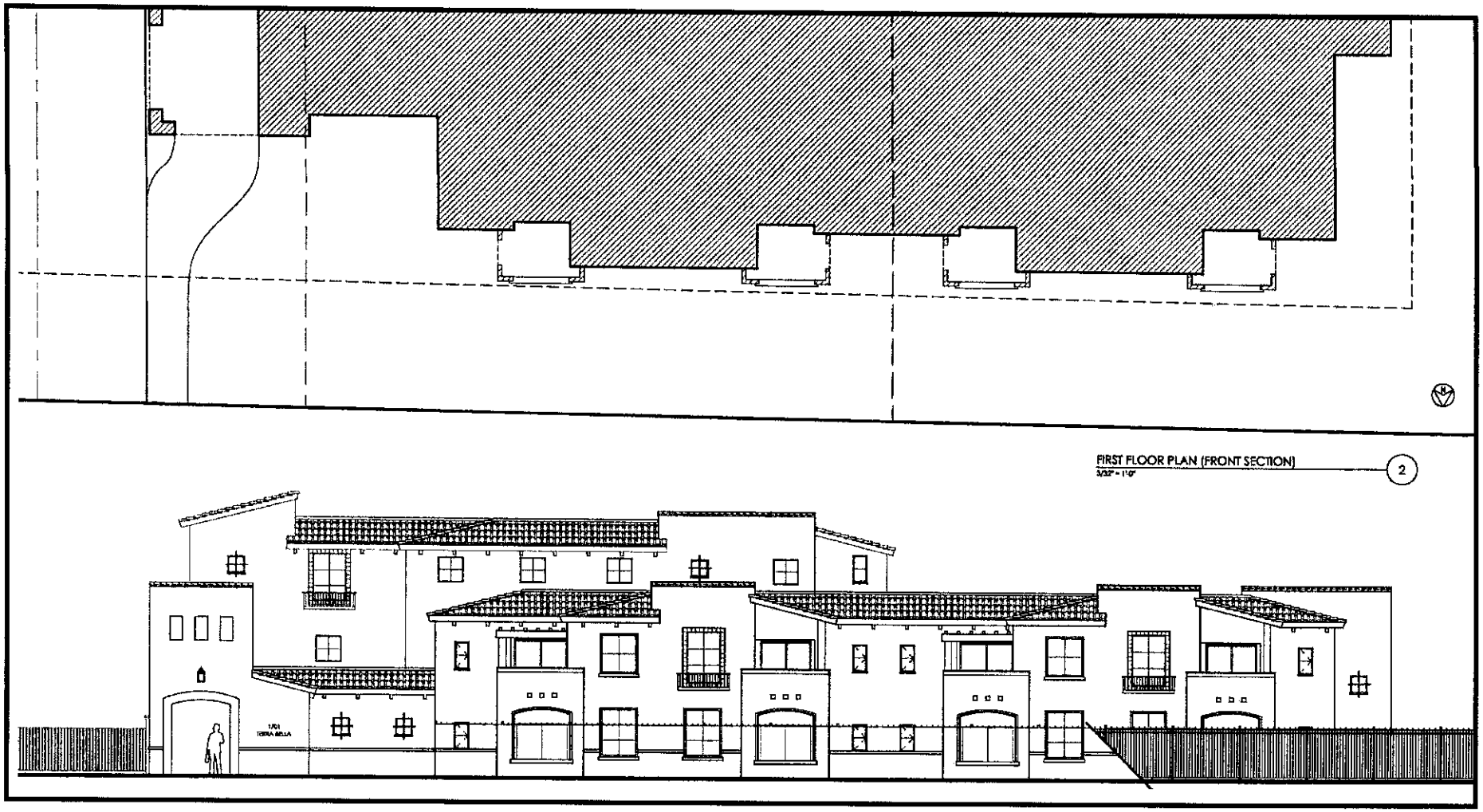

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Figure 6
North Elevation

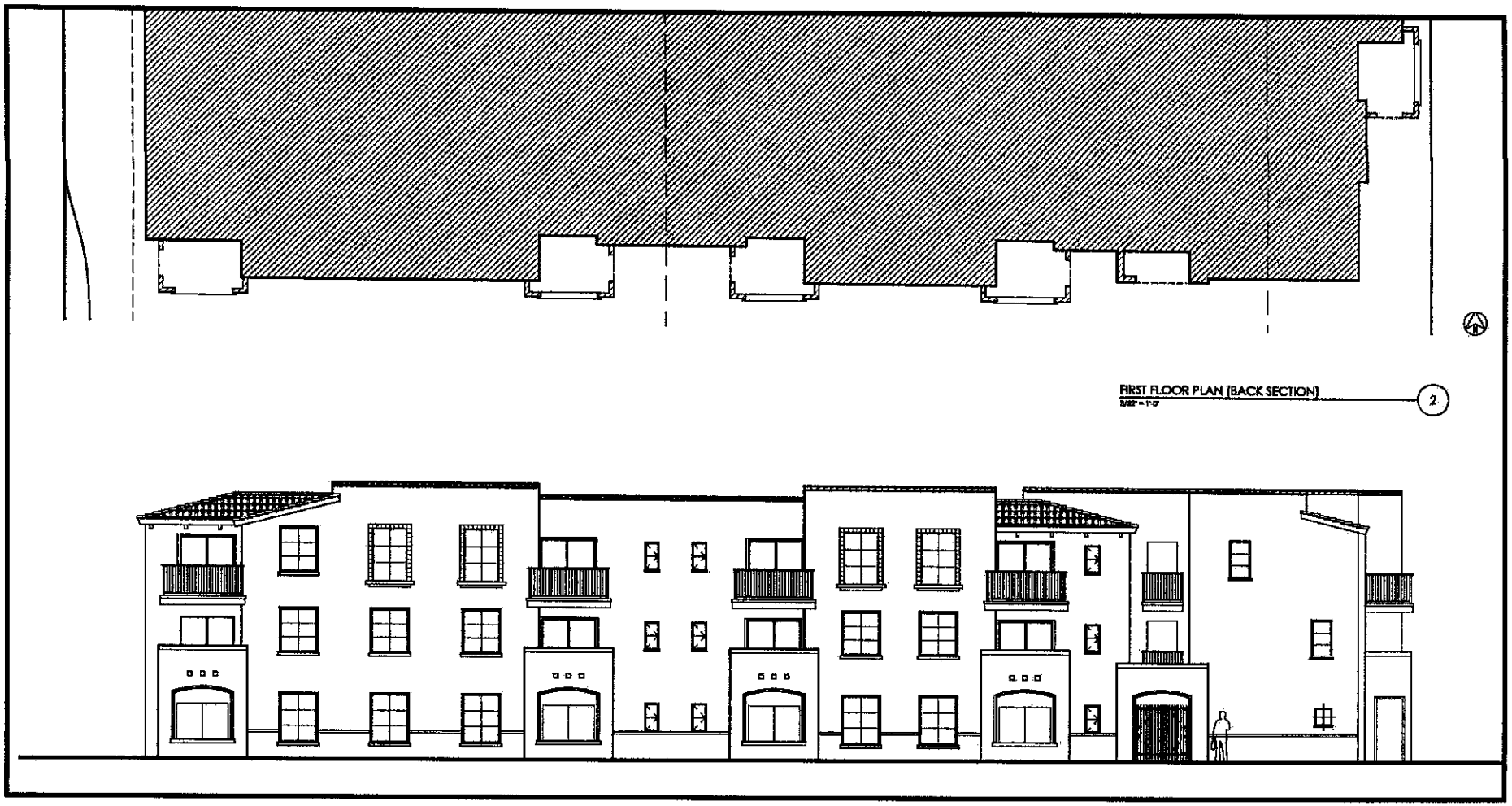

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Figure 7
South Elevation

The remainder of this section provides a description of the project's environmental setting. Section 2 includes an environmental checklist that gives an overview of the potential impacts to the environment that may result from project implementation. Section 3 elaborates on the information contained in the environmental checklist, providing justification for the responses provided in the environmental checklist.

SECTION 2
ENVIRONMENTAL CHECKLIST

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
1. Aesthetics *Would the project:*				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐
2. Agriculture Resources ***In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:***				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒
3. Air Quality *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative	☐	☐	☒	☐

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
4. Biological Resources *Would the project:*				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
5. Cultural Resources *Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
6. Geology and Soils *Would the project:*				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
7. Hazards and Hazardous Materials *Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Be located within one-quarter mile of a facility that might reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste?	☐	☐	☐	☒
e) Be located on a site of a current or former hazardous waste disposal site or solid waste disposal site unless wastes have been removed from the former disposal site; or 2) that could release a hazardous substance as identified by the State Department of Health Services in a current list adopted pursuant to Section 25356 for removal or remedial action pursuant to Chapter 6.8 of Division 20 of the Health and Safety Code?	☐	☐	☐	☒
f) Be located on land that is, or can be made, sufficiently free of hazardous materials so as to be suitable for development and use as a school?	☐	☐	☐	☒
g) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
h) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
i) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
j) Expose people or structures to a significant risk of loss, injury, or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	☐	☐	☐	☒
k) Be located within 1500 feet of: (i) an aboveground water or fuel storage tank, or (ii) an easement of an above ground or underground pipeline that can pose a safety hazard to the proposed school?	☐	☐	☐	☒
8. Hydrology and Water Quality *Would the project:*				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the	☐	☐	☒	☐

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
	local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?				
c)	Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☐	☒
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f)	Otherwise substantially degrade water quality?	☐	☐	☐	☒
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h)	Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☐	☒
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
9.	**Land Use and Planning** *Would the project:*				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
10. Mineral Resources *Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒
11. Noise *Would the project result in:*				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☒	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
12. Population and Housing *Would the project:*				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Displace substantial numbers of people necessitating the construction of	☐	☐	☐	☒

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
replacement housing elsewhere?				
13. Public Services *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒
14. Recreation				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒
15. Transportation/Traffic *Would the project:*				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☒	☐	☐
16. Utilities and Service Systems *Would the project:*				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
17. Mandatory Findings of Significance				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Environmental Factors That Could Result in a Potentially Significant Impact		
The environmental factors listed below that are checked indicate that the proposed project would result in environmental effects that are either "Potentially Significant" or "Less Than Significant With Mitigation".		
☒ Aesthetics	☐ Agriculture Resources	☒ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☒ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☒ Transportation/Traffic
☐ Utilities/Services Systems	☐ Mandatory Findings of Significance	

Environmental Determination

On the basis of this initial evaluation:

☐ I find that the proposed project could not have a significant effect on the environment, and a **Negative Declaration** would be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. **A Mitigated Negative Declaration** would be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an **Environmental Impact Report** is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signed: _____ Date: _____

Name: _____ Phone: _____

Title: _____

SECTION 3
DISCUSSION OF ENVIRONMENTAL EVALUATION

3.1 AESTHETICS

a) ***No Impact.*** The project site is not designated as a scenic vista by the City of Bell Gardens General Plan. In addition, there are no areas adjacent to or in the immediate vicinity of the site that are designated scenic vistas with views across the site of those scenic vistas that would be impacted by the project. There are no city adopted scenic vistas open to the public either on or through the site that would be impacted by the project.

b) ***No Impact.*** The site is not designated as a scenic resource and does not include any historic buildings, a state scenic highway, or rock outcroppings that would be impacted by the project.[1] There are mature trees that would be removed during project construction, but the existing trees are not considered a scenic resource. There are no scenic resources either on or adjacent to the site that would be affected or damaged by the project.

c) ***Less Than Significant Impact.*** There are two vacant apartment buildings and a small vacant office building on the site. A chain link fence encloses the entire site to restrict unauthorized access. The vacant buildings and the landscaping show signs of delayed maintenance. Photographs of the existing uses on the site along with a photo orientation map were shown previously in Figure 4. The project would require the demolition and removal of the vacant buildings and landscaping to construct the senior apartment buildings, driveways, parking spaces, and landscaping. The replacement of the vacant buildings and unmaintained landscaping with new buildings and landscaping would have a positive aesthetic impact to the site and the immediate area.

The project would be required to install landscaping to comply with the City of Bell Gardens Zoning Ordinance.[2] Based on the zoning ordinance the project would be required to install landscaping in the required front yard setback and shall be continuously maintained in a neat, clean and healthful condition. No more than 50% of the required front yard area may be paved. Landscaping the front yard setback consistent with the landscaping ordinance would aesthetically buffer the project from Clara Street.

In addition to the landscaping ordinance, the project would also have to comply with the landscaping requirements of the Bell Gardens Beautification Plan.[3] The primary purpose of the Beautification Plan "is to improve the general quality of life in the community"[4]. While there are not any specific

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[1] State of California Department of Transportation (http://www.dot.ca.gov/hq/LandArch/scenic_highways)
[2] City of Bell Gardens Zoning Ordinance Title 9, Article 9-2, Chapter 9.34 Landscaping
[3] City of Bell Gardens Beautification Plan, February 1989.
[4] Ibid, page 3.

features of the Plan proposed for the site, the project is located on a major city street (Clara Street) that is designated for the placement of specific species of street trees. The preferred street tree for Clara Street is either London Plane and Camphor or Red Flowering Gum. The project would be required to plant one of these two tree species along the project frontage on Clara Street.

The Beautification Plan also divides the city into nine districts (A-I) for the purpose of designating a specific tree species for each district. A dominant street tree in a neighborhood will increase the legibility and the east with which the neighborhood can be recognized. The project is located in District D and the preferred street tree is the Red Flowering Gum. The project would be required to plant Red Flowering Gum trees to comply with the Beautification Plan.

The landscaping that would be required to be provided by the project to comply with both the zoning ordinance and beautification plan would provide aesthetic buffering for motorists on Clara Street and residents living adjacent to the project. While the project would change the aesthetics of the site by converting vacant land and older vacant buildings with new apartment buildings, landscaping, and a surface parking lot the project would provide new buildings and maintained landscaping that would have a positive aesthetic impact to the community overall.

The architecture and building design were shown previously. As shown in these figures, the design and architecture of the buildings would be compatible and blend with the surrounding residences in the area. The proposed landscaping would further improve the existing aesthetics of the site since there is minimal landscaping on the site at the current time. As part of the proposed project, the developer would plant new landscaping around the apartment buildings that would grow and mature to a size that would buffer the buildings from the adjacent surrounding areas, including Clara Street. The landscaping should mature to a size that within five years would partially screen and buffer the buildings from adjacent land uses.

Overall, the project would improve the existing aesthetics of the site with the construction of new apartment buildings and installation of landscaping to buffer the project from surrounding areas off the site. The aesthetic impacts of the project would be less than significant.

d) ***Less Than Significant With Mitigation.*** The project would increase the amount of light and glare that is generated from the site due to the construction of more building area and the surface parking lot. Both the interior and exterior lighting associated with the apartment buildings would increase the amount and intensity of lighting on the site compared to the existing uses. The apartment buildings would require safety and security

lighting and along with interior lights in each of the apartment units would increase the amount of lighting on the site. The parking lot would also require lights for safety and security that would also increase the amount of lighting on the site compared to the existing condition. The project would increase the amount of nighttime lighting from exterior building lighting, building interior lights (apartment units), and automobile headlights. New project lighting could impact surrounding land uses. Although lighting generated from the site would increase, the intensity of the lighting would be similar to the light intensity that is generated by similar apartment development projects. The project does not propose any lights or light intensities that would be greater than similar multi-family development in Bell Gardens. All project lighting that would be provided is required by the building code to provide proper safety and security lighting. The project does not propose any lighting that is greater than or more intense that required by the building code. Exterior lighting for the project would be designed and installed with the appropriate shielding to ensure that light does not spill beyond the limits of the development area. The lights in the parking lot would be designed to provide sufficient lighting for tenants and guests, but generate minimal lighting beyond the parking lot and the project boundary. While the project would be required to meet the minimum lighting requirements for safety and security, all project lighting would be designed and directed to minimize overflow and spillage onto adjacent properties. There are residences adjacent to and north, east, and south of the site that could be significantly impacted by project lighting.

The materials associated with the apartment buildings and parking lot could increase the amount of glare that is currently generated from the site. Various metal surfaces and windows could generate glare and impact adjacent glare sensitive land uses (residences) north, east, and south of the site and significantly impact the residences. For the most part the land uses adjacent to and west of the site include commercial uses that would not be impacted by the relatively small intensity of glare that would be generated by the project. The light and glare impacts of the project would be less than significant with incorporation of the recommended mitigation measures.

Mitigation Measures:

AES 1. The Applicant shall install landscaping consistent with the Beautification Plan, acceptable to the Planning Division, around the perimeter of the apartment buildings, building setbacks, and throughout the parking lot.

AES 2. Non-glare building materials shall be used on the exterior of the apartment buildings to reduce potential light reflection and glare. All windows shall have an anti-glare coating.

AES 3. A parking lot lighting plan shall be prepared that limits, to the maximum extent possible, glare to adjacent off-site residences. The parking lot lights shall include shields to minimize the amount of light that spills onto the adjacent residents.

3.2 AGRICULTURAL RESOURCES

a) ***No Impact.*** The project site and the surrounding area are developed with residential and commercial use. There are no agricultural resources or agricultural related activities on the site or the adjacent properties. The site is not located in an agricultural preserve based on the Bell Gardens General Plan. The State Department of Conservation does not map this area of Los Angeles County because the city is urbanized. Therefore, the Department does not have a farmland designation for the site.[5] The agricultural zoned land in Bell Gardens is largely restricted to the Southern California Edison (SCE) right of way that extends in a north-south direction through Bell Gardens and along the west side of the Rio Hondo flood control channel near the east city limit boundary. The SCE agricultural zoned properties are not utilized for traditional farmland purposes, but rather for potted plant nursery plants and horse stables. The project would not impact any agricultural resources because there are no agricultural uses either on or adjacent to the site that could be impacted.

b) ***No Impact.*** The project site is not in a Williamson Act contract and no agricultural operations exist either on the site or within the project vicinity based on information from the State of California Department of Conservation. Neither the site nor the surrounding properties are zoned for agricultural use. The project would have no impact to agriculture.

c) ***No Impact.*** There is no farmland on the site or within the vicinity of the project. Thus, the project would not convert farmland to non-agricultural use or impact farmland.

3.3 AIR QUALITY

An air quality assessment was prepared for the project site. A copy of the air quality assessment is included as Appendix A.

a) ***No Impact.*** The City of Bell Gardens is located in the South Coast Air Basin (SCAB), which is comprised of parts of Los Angeles, Riverside, and San Bernardino counties, and all of Orange County. The SCAB is bounded on the west by the Pacific Ocean and surrounded on the other sides by mountains, including the San Gabriel mountains to the north, the San Bernardino Mountains to the north and east, the San Jacinto Mountains to the southeast, and the Santa Ana Mountains to the south.

[5] Kerri Kisko, California State Department of Conservation, August 5, 2008.

The primary agencies responsible for regulations to improve air quality in the SCAB are the South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB). The Southern California Association of Governments (SCAG) is an important partner to the SCAQMD, as it is the designated metropolitan planning authority for the area and produces estimates of anticipated future growth and vehicular travel in the basin, which are used for air quality planning. The SCAQMD sets and enforces regulations for non-vehicular sources of air pollution in the basin and works with SCAG to develop and implement Transportation Control Measures (TCM). TCM measures are intended to reduce and improve vehicular travel and associated pollutant emissions.

CARB was established in 1967 by the California Legislature to attain and maintain healthy air quality, conduct research into the causes and solutions to air pollution, and systematically attack the serious problem caused by motor vehicles, which are the major causes of air pollution in the State. CARB sets and enforces emission standards for motor vehicles, fuels, and consumer products. It sets the health based California Ambient Air Quality Standards (CAAQS) and monitors air quality levels throughout the state. The board identifies and sets control measures for toxic air contaminants. The board also performs air quality related research, provides compliance assistance for businesses, and produces education and outreach programs and materials. CARB provides assistance for local air quality districts, such as SCAQMD.

The California Clean Air Act (CCAA) required all air pollution control districts in the state to prepare a plan prior to December 31, 1994 to reduce pollutant concentrations exceeding the CAAQS and ultimately achieve the CAAQS. The districts are required to review and revise these plans every three years. The SCAQMD satisfies this requirement through the publication of an Air Quality Management Plan (AQMP). The AQMP is developed by SCAQMD and SCAG in coordination with local governments and the private sector. The AQMP is incorporated into the SIP by CARB to satisfy the FCAA requirements.

The CCAA requires plans to demonstrate attainment of the NAAQS for which an area is designated as nonattainment. Further, the CCAA requires SCAQMD to revise its plan to reduce pollutant concentrations exceeding the CAAQS every three years. In the SCAB, SCAQMD and SCAG, in coordination with local governments and the private sector, develop the Air Quality Management Plan (AQMP) for the air basin to satisfy these requirements. The AQMP is the most important air management document for the basin because it provides the blueprint for meeting state and federal ambient air quality standards.

The I997 AQMP with the 1999 amendments is the current Federal approved applicable air plan for ozone. The successor 2003 AQMP was adopted locally on August 1, 2003, by the governing board of the SCAQMD. CARB adopted the plan as part of the California State Implementation Plan on October 23, 2003. The EPA adopted the mobile source emission budgets from the plan on March 25, 2004. The PM_{10} attainment plan from the 2003 AQMP received final approval on November 14, 2005 with an effective date of December 14, 2005. As of February 14, 2007 the U.S. EPA had not acted on the ozone attainment plan of the 2003 AQMP and on that date, CARB announced it was rescinding the ozone attainment plan from the 2003 AQMP with the intention to expedite approval of the 2007 AQMP. CARB adopted the plan as a part of the California State Implementation Plan on September 27, 2007. The State Implementation Plan was submitted to the U.S. EPA on November 16, 2007. The U.S. EPA has not taken action on the 2007 AQMP at this time.

The 2007 AQMP was prepared in response to the implementation of the federal $PM_{2.5}$ and 8-hour ozone NAAQS. The implementation of the new standards required completion of plan addressing attainment of the 8-hour ozone standard by June of 2007 and completion of a plan addressing the $PM_{2.5}$ standard one year later, in April of 2008. SCAQMD determined that it was most prudent to prepare an integrated plan to address both pollutants. The attainment date for the $PM_{2.5}$ NAAQS is earlier (i.e., 2015) than the attainment date for the ozone NAAQS (i.e., 2021) and the district felt that delaying a plan for $PM_{2.5}$ by a year could jeopardize the basin's ability to attain the standard. Further, development of a plan for ozone would have likely focused on lowering VOC emissions, which would have no effect on $PM_{2.5}$ levels. Reductions in NO_x emissions result in reductions in both ozone and $PM_{2.5}$ levels.

The 2007 AQMP demonstrates attainment of the 65 $\mu g/m^3$ 24-hour average and 15$\mu g/m^3$ annual average $PM_{2.5}$ standard by the 2015 deadline. However, it should be noted that in September of 2006, the U.S. EPA lowered the 24-hour $PM_{2.5}$ NAAQS to 35 $\mu g/m^3$. An attainment plan for the revised standard will need to be completed by 2013. The deadline for meeting the revised standard will not change (i.e., April 2015) but five year extensions to attain the standard may be granted by the U.S. EPA.

The 2007 AQMP determined that the basin would not be able to achieve the 0.08-ppm 8-hour ozone standard by the 2021 deadline without the use of "black box" measures. "Black box" measures anticipate the development of new technologies or improving existing control technologies that are not well defined at the time the plan is prepared. However, the use of "black box" measures is not allowed for areas with a Severe-17 non-attainment designation. Because of this the SCAQMD and CARB have submitted a request to the U.S. EPA to "bump up" the basin's classification to Extreme.

This will extend the required attainment date to 2024 and allow the use of "black box" measures. The "black box" reductions needed for ozone attainment are estimated to be 190 tons per day (tpd) of NO_x and 27 tpd. These reductions represent a 17% reduction in 2002 average daily NO_x emissions and a 3% reduction in 2002 average daily VOC emissions.

It should be noted that on March 12, 2008, the U.S. EPA lowered the 8-hour ozone standard to 0.075 ppm. This effectively lowers the standard 0.009 ppm as 0.084 ppm is considered meeting the 0.08 ppm standard. A plan to attain the revised standard will need to be completed by 2013. Attainment deadlines for the revised standard have not been established and may vary depending on the severity of the exceedances.

Implementation of the 2007 AQMP is based on a series of control measures and strategies that vary by source type (i.e., stationary or mobile) as well as by the pollutant that is being targeted. Short-term and mid-term control measures are defined to achieve the $PM_{2.5}$ standard by 2015. These measures are designed to also contribute to reductions in ozone levels. Additional, long-term measures are defined to attain the 8-hour ozone standard by 2024. The measures rely on actions to be taken by several agencies that have statutory authority to implement such measures. Each control measure will be brought for regulatory consideration in a specified time frame. Control measures deemed infeasible will be substituted by other measures to achieve the total emission reduction target for each agency.

The plan focuses on control of sulfur oxides (SO_x), directly emitted $PM_{2.5}$, and nitrogen oxides (NO_x) to achieve the $PM_{2.5}$ standard. Achieving the 8-hour ozone standard builds upon the $PM_{2.5}$ attainment strategy with additional NO_x and VOC reductions. The control measures in the 2007 AQMP are based on facility modernization, energy efficiency and conservation, good management practices, market incentives/compliance flexibility, area source programs, emission growth management and mobile source programs. In addition, CARB has developed a plan of control strategies for sources controlled by CARB (i.e. on-road and off-road motor vehicles and consumer products). Further, Transportation Control Measures (TCM) defined in SCAG's Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) are needed to attain the standards.

The 2007 AQMP includes 30 short-term and mid-term stationary and 7 mobile source control measures proposed for implementation by the district that are applicable to sources under their jurisdiction. Nine of these measures were included in the 2003 AQMP and have been updated or revised. Twenty-eight new measures are proposed based on replacement of the District's long-term reduction measures from the 2003 AQMP with more defined control measures or development of new control measures. Measures include; regulations to reduce VOC emissions from coatings, solvents, petroleum

operations, and cutback asphalt; measures to reduce emissions from industrial combustion sources as well as residential and commercial space heaters; a measure to offset potential emission increases due to changes in natural gas specifications; localized control of PM emission hot spots; regulation of wood burning fireplaces and wood stoves; reductions from under-fired char broilers; reducing urban heat island through lighter colored roofing, and paving materials and tree planting programs; energy efficiency and conservation programs; and emission reduction from new or redevelopment projects through regulations that will establish mitigation options to be implemented in such project. The specific measures are discussed in Chapter 4 and presented in detail in Appendix IV-A of the 2007 AQMP.

The TCMs defined in the RTP and RTIP fall into three categories, High Occupancy Vehicle measures, Transit and System Management Measures and Information-based Transportation Strategies. The High Occupancy Vehicle (HOV) Strategy attempts to reduce the proportion of commute trips made by single occupancy vehicles which constitute 72% of all home work trips according to the 200 U.S. Census. Specific measures include new HOV lanes on existing and new facilities, HOV to HOV bypasses and High Occupancy Toll (HOT) lanes. The Transit and Systems Management Strategy incentivize the use of transit, alternative transportation modes (e.g., pedestrian and bicycles), and increases in average vehicle occupancy by facilitating vanpools, smart shuttles and similar strategies. Systems management measures include grade separation and traffic signal synchronization projects. The information-based Transportation Strategy relies primarily on the innovative provision of information in a manner that successfully influences the ways in which individuals use the regional transportation system. Providing ride matching to increase ride-sharing and carpool trips and providing near real-time estimates of congestion in an effort to influence persons to defer traveling to a less congested period are examples of the strategy.

In addition to District's measures and SCAG's TCMs, the Final 2007 AQMP includes additional short- and mid-term control measures aimed at reducing emissions from sources that are primarily under state and federal jurisdiction including on-road and off-road mobile sources, and consumer products. Measures committed to be enacted by CARB include (1) improvements to the smog check program, (2) cleaner in-use heavy duty truck emission regulations, (3) increased regulations on goods movement sources including ships, harbor craft, and port trucks, (4) regulations for cleaner in-use off-road equipment including agricultural equipment, (5) various measures to reduce evaporative VOC emissions from fuel storage and dispensing, (6) tightened emission standards and product reformulation for consumer products that emit VOC's, and (7) reductions in emissions from pesticide applications.

Four long-term "black box" control approaches are presented in the 2007 AQMP. These measures include (1) further reductions from on-road sources by retiring or retrofitting older high-emitting vehicles and accelerated penetration of very low and zero emission vehicles, (2) increased inspection and maintenance (I/M) programs for heavy-duty diesel trucks, (3) further reductions from off-road mobile sources through accelerated turn-over of existing equipment, retrofitting existing equipment and new engine emission standards, and (4) further reductions from consumer product VOC emissions. The 2007 AQMP identifies four contingency measures that would need to be implemented if milestone emission targets are not met or if the standards are not attained by the required date. While implementation of these measures is expected to reduce emissions, there are issues that limit the viability of these measures as AQMP control measures. These issues include the availability of District resources to implement and enforce the measure, cost-effectiveness of the measure, potential adverse environmental impacts, effectiveness of emission reductions, and availability of methods to quantify emission reductions.

The regional plan that applies to the proposed project includes the South Coast Air Quality Management Plan (AQMP). In this regard, this section will discuss any inconsistencies between the proposed project and the AQMP.

The purpose of the consistency discussion is to set forth the issues regarding consistency with the assumptions and objectives of the AQMP and discuss whether the project would interfere with the region's ability to comply with Federal and State air quality standards. If the decision-maker determines the project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD's CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A project should be considered to be consistent with the plan if it furthers one or more policies and does not obstruct other policies. The Handbook identifies two key indicators of consistency:

(1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP (except as provided for CO in Section 9.4 for relocating CO hot spots).

(2) Whether the project will exceed the assumptions in the AQMP in 2010 or increments based on the year of project buildout and phase.

Both of these criteria are evaluated below for the proposed project.

Criterion 1 - Increase in the Frequency or Severity of Violations?

Based on the air quality analysis contained in this report, short-term and long-term operations will not result in significant local or regional air quality impacts based on the SCAQMD thresholds of significance. However, emissions generated during construction, and regional air quality will be in excess of SCAQMD's LSTs, specifically for PM_{10} and $PM_{2.5}$. The consistency criteria pertain to local air quality impacts, rather than regional emissions, as defined by the SCAQMD. Given the project's very small size, it is not anticipated that the project will result in a local air quality impact. Because the project is not projected to impact the local air quality, the project is found to be consistent with the AQMP for the first criterion.

The proposed project is not projected to contribute to the exceedance of any air pollutant concentration standards, thus the project is found to be consistent with the AQMP for the first criterion.

Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the project with the assumptions in the AQMP. Thus, the emphasis of this criterion is to insure that the analyses conducted for the project are based on the same forecasts as the AQMP. The Regional Comprehensive Plan and Guide (RCP&G) consists of three sections: Core Chapters; Ancillary Chapters; and Bridge Chapters. The Growth Management, Regional Mobility, Air Quality, Water Quality, and Hazardous Waste Management chapters constitute the Core Chapters of the document. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA.

Since the SCAG forecasts are not detailed, the test for consistency of this project is not specific. The traffic modeling methodologies upon which much of the air quality assessment are based on the ITE Trip Generation, 7th Edition. Projects that are consistent with the local general plan are consistent with the AQMP assumptions. The project is anticipated to generate 226 daily trips. These trips do not take into account daily trips from the uses that previously existed on the project site in the recent past. Therefore, the actual net increase in the daily trips will be less. The growth forecasts for the project are consistent with the SCAG growth forecasts. Therefore, the second criterion is met for consistency with the AQMP.

b) ***Less Than Significant With Mitigation.*** Air quality impacts are usually divided into short term and long term. Short-term air quality impacts are usually the result of construction or grading operations while long-term impacts are associated with the built out or operational condition of the project.

Regional Air Quality

In their "1993 CEQA Air Quality Handbook", the SCAQMD has established significance thresholds to assess the impact of project related air pollutant emissions, which are shown in Table 1. There are separate thresholds for short-term construction and long-term operational emissions. A project with daily emission rates below these thresholds are considered to have a less than significant effect on air quality. It should be noted the thresholds recommended by the SCAQMD are very low and subject to controversy. It is up to the individual lead agencies to determine if the SCAQMD thresholds are appropriate for their projects.

Table 1
SCAQMD Regional Pollutant Emission Thresholds of Significance

	Pollutant Emissions (lbs/day)					
	CO	**ROG**	**NO_x**	**PM_{10}**	**$PM_{2.5}$**	**SO_x**
Construction	*550*	*75*	*100*	*150*	*55*	*150*
Operation	*550*	*55*	*55*	*150*	*55*	*150*

Localized Significance Thresholds

As part of the SCAQMD's environmental justice program, attention was focused on localized effects of air quality. In accordance with Governing Board direction, SCAQMD staff developed localized significance threshold (LST) methodology and mass rate look-up tables by source receptor area (SRA) that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area. The LST methodology is described in "Final Localized Significance Threshold Methodology" updated on July 2008 by the SCAQMD.

The LST mass rate look-up tables provided by the SCAQMD allow one to determine if the daily emissions for proposed construction or operational activities could result in significant localized air quality impacts. If the

calculated on-site emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality.

The LST mass rate look-up tables are applicable to the following pollutants only: oxides of nitrogen (NO_X), carbon monoxide (CO), and particulate matter less than 10 microns in aerodynamic diameter (PM_{10}). LSTs are derived based on the location of the activity (i.e., the source/receptor area); the emission rates of NO_X, CO, and PM_{10}; and the distance to the nearest exposed individual.

The LST methodology presents mass emission rates for each SRA, project sizes of 1, 2, and 5 acres, and nearest receptor distances of 25, 50, 100, 200, and 500 meters. For project sizes between the values given, or with receptors at distances between the given receptors, the methodology uses linear interpolation to determine the thresholds. If receptors are within 25 meters of the site, the methodology document says that the threshold for the 25-meter distance should be used.

The project is located in SRA 5. The nearest existing land uses are the adjacent homes to the east and south. The adjacent homes to the east and south of the project are located as close as 10 feet (3 meters) from the nearest construction areas. The LSTs are similar for these receptors since they are all closer than 25 meters. Table 2 summarizes the LSTs for construction.

Table 2 also lists the thresholds to determine if operation of the project results in a significant local air quality impact. The threshold for operation listed in Table 2 is based on a 2 acre site with an adjacent receiver. The project consists of approximately 1.7 acres and the nearest receptor is located as close as 10 feet away. A project with daily emission rates below the thresholds during operation is considered to have a less than significant effect on local air quality.

Short-Term Impacts

There will be short-term temporary impacts during project construction. Air pollutants will be emitted by the operation of motorized construction equipment and fugitive dust generated during demolition of the existing buildings and improvements as well as grading and excavation of the site.

Table 2
Localized Significance Thresholds at the Nearest Receptors

	Localized Significance Threshold (lbs/day)			
Description	**CO**	**NO_x**	**PM_{10}**	**$PM_{2.5}$**
- Construction activities	645	176	6	1
- Operation	645	176	2	0

Construction Emission Calculation Methodology

Emissions during the primary phases of construction were calculated using URBEMIS2007 program (version 9.2.4). URBEMISv9.2.4 is a computer program generated by the California Air Resources Board that calculates EMFAC2007 emission rates.

According to the 1993 SCAQMD's CEQA Handbook, emission factor for disturbed soil is 26.4 pounds of PM_{10} per day per acre, or 0.40 tons of PM_{10} per month per acre. If water or other soil stabilizers are used to control dust as required by SCAQMD Rule 403, the emissions can be substantially reduced (i.e., by 50+ percent depending on dust control application type and frequency). The PM_{10} calculations for the project include a 61% reduction in PM_{10} emissions due to on-site watering during construction.

Construction Activities

The project site is approximately 1.7 acres. The construction of the project is anticipated to start in December 2009 and take approximately one year to complete. The first phase of the construction consists of the demolition of the existing apartment buildings and commercial building that comprise a total of 16,400 square feet and approximately 66,713 square feet of existing paving. Demolition will be followed by grading activities. The activities for which emissions have been calculated and the activity levels during each of these activities are described below.

Demolition/Site Preparation is the removal of the existing apartment buildings and commercial building that total approximately 16,400 square feet and 66,713 square feet of existing paving to prepare the site for the grading and construction of the project. If the demolition of the existing structures took a minimum of 10 days, it would require 14 two-way truck trips per day to haul the demolition debris, assuming a haul capacity of 20 cubic yards per truck. This work is assumed to begin and be completed before the next grading

phase is started. The construction equipment that was used in the URBEMIS default assumption includes (1) grader, (1) rubber tired dozer, and (2) tractor/loader/backhoe.

Mass Site Grading/Excavation is the excavation and grading of the entire 1.7 acre site. This work is assumed to be completed before construction of the new senior apartments begins. The equipment used in the URBEMIS default assumption includes (1) grader, (1) dozer, (1) tractor/loader/backhoe and (1) water truck.

Building construction emissions were calculated for the portion of construction with the greatest amount of activity that will result in the highest emissions. The equipment used in the URBEMIS default assumption includes (1) crane, (2) forklifts, (1) tractor/loader/backhoe, (1) generator set, and (3) welders.

Asphalt Paving generates diesel engine exhaust emissions from the paving equipment and asphalt material haul trucks as well as fugitive ROG emissions from the asphalt itself. Asphalt emissions were estimated utilizing URBEMISv9.2.4 default assumptions. The equipment required for asphalt paving would include (4) cement/ mortar mixers, (1) paver, (2) pieces of paving equipment, (1) roller and (1) tractor/loader/backhoe.

Architectural Coatings include the paint that is applied to the exterior and interior walls of the buildings as well as the coatings that are applied to the windows and window casings. Reactive Organic Gases (ROGs) are emitted from these coatings as well as the solvents used in cleanup of the coatings. The amount of ROGs that are emitted depends on the specific coating being used and its VOC content. For this project, only low-VOC paints are assumed to be used. Architectural coating emissions were estimated utilizing URBEMISv9.2.4 default assumptions. The construction would consist of 64 senior housing units. If painting took a minimum of one month to complete, then the result is an estimate of 37 pounds of ROG emissions per day from the painting activities. This is below the daily SCAQMD significance thresholds of 75 pounds per day.

Building Construction/Paving/Architectural Coating is the construction of the building described above with the addition of paving and painting activities that may occur simultaneously. URBEMIS defaults were used to estimate the construction emissions.

Construction Emissions – Regional Impact

Table 3 presents the results of the total emissions calculations for the construction activities discussed above. These emissions are compared to the Significance Thresholds.

Table 3
Total Worst Case Peak Emissions By Construction Activity

	Pollutant Emissions (lbs/day)					
Activity	**ROG**	**NOX**	**CO**	**SOx**	**PM10**	**PM2.5**
Emissions Per Day (Pounds Per Day)						
Demolition/Construction Equip.	**2**	**22**	**12**	**0.0**	**14**	**4**
Site Grading/Construction Equip.	**3**	**25**	**14**	**0.0**	**46**	**11**
Building/Construction Equip.	4.2	18.7	24.5	0.0	1.4	1.2
Architectural Coating	37.4	0.1	2.2	0.0	0.0	0.0
Asphalt Paving/Construction Equip.	3.6	19.9	13.9	0.0	1.7	1.5
Combined Construction Emissions	**45**	**39**	**41**	**0.0**	**3**	**3**
SCQAMD Thresholds	*75*	*100*	*550*	*150*	*150*	*55*
Exceeding Thresholds?	*NO*	*NO*	*NO*	*NO*	*NO*	*NO*

None of the emissions in Table 3 are above, or exceed, the Significance Emission Thresholds established by the SCAQMD. In general, the primary source of CO and NO_x emissions would be from the operation of motorized construction equipment while the primary source of PM_{10} and $PM_{2.5}$ emissions would be from ground disturbance during grading activities. Without watering, PM_{10} and $PM_{2.5}$ emission generation would be double the amount shown. Watering the site two to three times before, during and after grading is recommended to reduce particulates to less than significant levels.

On-site Construction Emissions – LST Analysis

Grading

The on-site emissions were calculated utilizing URBEMIS 9.2.4. The emissions presented in Table 4 are those that would be emitted from activity within the project site including the emissions from vehicles traveling within the project boundary. The on-site worker trips were assumed to be approximately 5% of the total worker trips, while each on-road construction vehicle or diesel trip would have a 0.1 mile component within the project site. The total on-site construction emissions are compared to the Localized Significance Thresholds (LSTs) described above. The data in Table 4 shows that construction activities result in on-site emissions exceeding the LSTs at the nearest homes, specifically for PM_{10} and $PM_{2.5}$ due to its close proximity to the homes. Therefore, construction of the project site would result in a significant short-term air quality impact.

Table 4
On-Site Emissions By Grading Activity

Activity	Pollutant Emissions (lbs/day) CO	NO_x	PM_{10}	$PM_{2.5}$
Emissions Per Day (Pounds Per Day)				
Demolition /Construction Equip.	**4.8**	**8.2**	**13.6**	**3.3**
Site Grading/Construction Equip.	**12.5**	**25.0**	**46.1**	**10.5**
Building/Construction Equip.	11.2	16.6	1.2	1.1
Architectural Coating	0.0	0.0	0.0	0.0
Asphalt Paving/Construction Equip.	10.3	18.0	1.6	1.4
Total Construction Emissions:	**21.5**	**34.6**	**2.8**	**2.5**
-Adjacent homes to the east and south	*645*	*176*	*6*	*1*
Exceed Threshold?	NO	NO	YES	YES

NOTE: Underlined data indicate exceedances.
Because the particulate emissions will exceed the LSTs without mitigation, mitigation measures to reduce fugitive dust should be implemented to the greatest extent possible. In addition to watering the site three times daily, the construction operators should apply soil stabilizers to inactive areas, replace ground cover in disturbed areas, minimize dust associated with equipment loading/unloading, reducing speed on unpaved road to less than 15 miles per hour (mph), and manage haul road dust by watering twice daily.

Diesel Particulate Matter Emissions During Construction

In 1998, the California Air Resources Board (ARB) identified particulate matter from diesel-fueled engines (Diesel Particulate Matter or DPM) as a Toxic Air Contaminant (TAC). It is assumed that the majority of the heavy construction equipment utilized during construction would be diesel fueled and emit DPM. Impacts from toxic substances are related to cumulative exposure and are assessed over a 70-year period. Cancer risk is expressed as the maximum number of new cases of cancer projected to occur in a population of one million people due to exposure to the cancer-causing substance over a 70-year lifetime (California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Guide to Health Risk Assessment.) Demolition and grading/excavation for the project, when the peak diesel exhaust emissions would occur, is expected to take approximately one month with all construction expected to take 12 months. Because of the relatively short duration of construction compared to a 70-year lifespan, diesel emissions resulting from the construction of the project are not expected to result in a significant impact.

Long Term Impacts

Local Air Quality

Local air quality impacts are typically assessed by performing dispersion modeling at intersections affected by traffic generated by the project. In the past, local air quality around intersections is considered a potential issue at intersections with a Level of Service (LOS) of D or worse. Both air basins are now in attainment for the CO standards and exccedances of the CO standards should not be expected, even from local intersections with LOS worse than D. Therefore, local air quality impact modeling was not performed for the project. Local air pollutant concentrations would not be expected to approach the ambient air quality concentration standards due to local traffic.

Operational Emissions

Project air pollutant emissions were calculated using the URBEMIS2007 program (version 9.2.4). The program was set to calculate emissions for 65 senior housing units. The daily trip generation is anticipated to be 226 trips per day. These project trips do not take into account trips from the previous existing uses on the project site. However, since the daily trips from the existing uses are not known, the actual net increase in daily trips would be less. As a worst case scenario, the 226 daily trips are utilized.

URBEMIS2007 calculates maximum daily emissions for the summer and winter periods. The results presented below are for the season that results in the highest total emissions.

The primary source of regional emissions generated by the project will be motor vehicles. Other emissions from the project site include the combustion of natural gas for water and space heating, the use of landscaping equipment, and architectural coatings during building maintenance. Table 5 presents the results of the URBEMIS2007 model showing the maximum daily air pollutant emissions projected for the buildout year of the project in 2010. The summer and winter project emissions were analyzed. The higher seasonal emissions which are winter emissions are presented in Table 5.

Table 5 shows that the total project emissions will not exceed the SCAQMD regional significance thresholds. Therefore, the project will not result in a significant regional air quality impact and no mitigation is required.

Table 5
Total Project Emissions

Source	ROG	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Buildout 2010						
Area Source Emissions	13.8	2.0	28.7	0.1	4.4	4.2
Operational (vehicle) Emissions	1.4	2.0	14.3	0.0	0.1	0.1
Total Project Emissions	**15**	**4**	**43**	**0**	**5**	**4**
SCQAMD Thresholds	*55*	*55*	*550*	*150*	*150*	*55*

Table 6 compares the net increase in emissions due to the project to the projected basin wide emissions from the 2003 AQMP. This comparison shows that the project represents a very small fraction of the total regional emissions. The project represents, at most, just less than four-thousandths of a percent of the total regional emissions.

Table 6
Comparison of Project Emissions with SCAB Emissions

	Pollutant Emissions (tons/day)					
	CO	ROG	NO_x	PM_{10}	$PM_{2.5}$	SO_x
Project Emissions	0.008	0.002	0.022	0.000	0.002	0.002
2023 South Coast Air Basin*	2,147	95	539	508	318	102
Project as Percentage of Basin	0.0004%	0.0021%	0.0040%	0.0000%	0.0007%	0.0021%

* Source: 2007 AQMP Table 3-5A except PM_{10} from 2003 AQMP Tables 3-5A and 3-5B

The project will not violate any air quality standard with the exception of short-term (construction) particulate emissions during grading. The following measures are recommended to reduce short-term fugitive dust emission impacts during project construction to less than significant levels.

Mitigation Measures:

AQ 1. The project developer shall replace ground cover in disturbed areas and stabilize soils once earth-moving activities are completed and apply soil stabilizers to inactive areas.

AQ 2. The haul road shall be watered twice daily to minimize dust.

AQ 3. Pre-apply water to the depth of proposed cuts and re-apply water as necessary to maintain soil in a damp condition to ensure that visible emissions do not exceed 100 feet in any direction.

c) ***Less Than Significant Impact.*** Construction and operation of the project would not result in a cumulatively considerable net increase of criteria pollutants (CO, PM10, and precursors of ozone VOC and NOX) for which the project region is in nonattainment under an applicable federal or state ambient air quality standard. SCAQMD neither recommends quantified analyses of cumulative construction or operational emissions, nor provides separate methodologies or thresholds of significance to be used to assess cumulative construction or operational impacts. Instead, the SCAQMD recommends project's potential contribution to cumulative impacts be assessed using the same significance criteria as those for the project's specific impacts. Since none of the project's anticipated daily emissions exceed the thresholds recommended by SCAQMD, it is not anticipated that the project would result in a significant cumulatively considerable net increase of any criteria pollutant.

d) ***Less Than Significant Impact.*** The existing residents adjacent to the site are considered sensitive receptors, including the residences to the north, east and south. The commercial uses west of the site are not considered sensitive receptors (non-residential). As stated above, the project would not exceed the basin wide, regional thresholds. The project proponent would be required to comply with all applicable SCAQMD rules and regulations, including rule 403 which insures the clean-up of construction-related materials and control of fugitive dust from the subject site during project construction. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed surface area beyond the property line of the emission source. Due to the relatively small size and scale of this project, the fact project air emissions are below emission thresholds, and the incorporation of the recommended mitigation measures listed above (mitigation measures AQ 1 - AQ 3), the exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

e) ***Less Than Significant Impact.*** The project would not generate objectionable odors, except diesel emissions during project grading and construction, which could impact adjacent residents. As shown in Table 3 above, the short-term construction emissions would not exceed air quality thresholds. As a result, odor impacts are not anticipated to significantly impact area residents. Any odor impacts would be short-term and not extend beyond the time to construct the buildings. Once grading is completed and the buildings are constructed any odors that may be objectionable would be eliminated. Odor impacts resulting from the project are therefore less than significant.

3.4 BIOLOGICAL RESOURCES

a) ***No Impact.*** The project site is developed with two vacant apartment buildings and a vacant 3,600 square foot office building. The rest of the site is vacant and undeveloped. The site has been disturbed in association with previous development on the property and the construction of the existing vacant apartment and office buildings. Because the site has been disturbed and developed in the past all natural habitat on the site has been removed.

The project is located in a highly urbanized area. All native biological resources that previously existed were removed many years ago in conjunction with the development of the site and the surrounding area. All natural plant communities and associated animals that existed have been removed and destroyed years ago. The existing vegetation including trees, shrubs, and turf are introduced urban plants. Any animal species present would be limited to species that are typically found in urban environments such as rabbits, mockingbirds, opossum, skunks, ground squirrels, stray dogs and cats, etc. There are no plants or animal species that could be classified as a candidate, sensitive, or special status and regulated by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would not impact any sensitive plant or animal species of concern to either California Fish and Game or U.S. Fish and Wildlife Service because none exist on the property.

b) ***No Impact.*** The project site was disturbed in the past to construct the existing buildings and other buildings that previously existed and have since been demolished. Because of previous construction activities there is no riparian habitat or sensitive natural community on the site. None of the existing introduced urban vegetation qualifies for regulation by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would not impact riparian habitat or other sensitive natural communities since none exist.

c) ***No Impact.*** The project is developed with two vacant apartment buildings and a vacant commercial building. There are no wetlands on the property. Therefore, the project would not impact federally protected wetlands.

d) ***No Impact.*** The site is developed and is not used for a wildlife corridor or wildlife nursery because there is no native vegetation on the property to support a wildlife corridor or nursery. The project site is located in an urbanized area with no existing wildlife corridors in the vicinity that could be impacted by the project. The project would have no impact to any wildlife corridors. Because the site and the area are urbanized there is no habitat that supports fish or wildlife nursery sites. The project would have no impact on the migratory movement of fish or wildlife or nursery sites.

e) ***No Impact.*** The City of Bell Gardens does not have an ordinance that protects specific species of tree. The removal of the existing trees on the site during demolition and site grading would not conflict with or impact any existing city tree ordinance. The Bell Garden Beautification Plan requires that specific species of trees be planted along identified streets and neighborhoods in conjunction with new development. The project would be required to plant trees along Clara Street and throughout the project to comply with the Beautification Plan. The project would not conflict with or impact any adopted tree preservation ordinance.

f) ***No Impact.*** The project site is not part of or included in any adopted habitat conservation plan or any other natural community conservation plan. Therefore, the project would not have any potential for a conflict with an adopted habitat conservation plan.

3.5 CULTURAL RESOURCES

a) ***No Impact.*** None of the existing buildings on the site are considered a historical resource. Although the buildings were constructed more than 50 years ago, there is no historical significance associated with either the apartment buildings or the commercial building that would allow them to qualify as historical resources. The Bell Garden General Plan identifies six historical structures (Exhibit 5-1, 5-3) in the city. None of the six structures are either on or adjacent to the project site. The project would not impact any historical resource.

b) ***No Impact.*** As discussed in section "a)" above, the Bell Garden General Plan does not identify any cultural resources on the site. Bell Gardens is highly urbanized and there are only six known historical or archaeological resources. The site has been graded and disturbed in the past to construct the two vacant apartment buildings and commercial building. Any cultural resources that may have been present were removed and destroyed during grading and construction activities to build the existing structures. Section 15064.5 of the CEQA guidelines includes measures to protect and/or salvage any cultural resources that may be uncovered during construction of the proposed development. The project would not have cultural resource impacts.

c) ***No Impact.*** The Bell Gardens General Plan does not identify any paleontological resources on the site. Bell Gardens is a highly urbanized with few significant paleontological resources. As a result, the project would not have paleontological resource impacts.

d) ***No Impact.*** There is no information or evidence that the project site was ever used as a cemetery. If the site was formerly used as a cemetery any human remains would have been uncovered during previous grading and

construction activities to develop the site. Since there is no evidence that a cemetery occupied or existed on the site in the past the project would not disturb any human remains.

3.6 GEOLOGY AND SOILS

A preliminary geotechnical engineering investigation was prepared for the project site. A copy of the geotechnical report is included as Appendix B.

a)

i) ***Less Than Significant Impact.*** The City of Bell Gardens is located in southern California, which is a seismically active region. However, the project site is not located in an Alquist-Priolo Fault Zone. There are no known active surface faults on the site or within the project area that would impact the project to a greater degree than other development in Bell Gardens. The project would be exposed to severe ground shaking from a regional earthquake the same as any other development in the city. The maximum expected magnitude earthquake resulting in the highest peak horizontal accelerations at the site would be a magnitude 7.1 event on the Puente Hills Blind Thrust Fault with an expected peak horizontal ground acceleration of 0.82g.[6]

The construction of the buildings would be required to meet all applicable building code requirements pertaining to seismic events. Table 6.5.1, IBC Seismic Design Parameters, of the geotechnical investigation[7], provides the site specific design criteria the project would be required to meet. The compliance of the project with the design parameters in Table 6.5.1 would reduce potential seismic impacts of the project to less than significant.

ii) ***Less Than Significant Impact.*** The major cause of structural damage from earthquakes is ground shaking. The intensity of ground motion expected at a particular site depends upon the magnitude of the earthquake, the distance to the epicenter and the geology of the area between the epicenter and the property. Greater movement can be expected at sites on poorly consolidated material, such as loose alluvium, close proximity to the causative fault, or in response to an event of great magnitude. The project site could experience earthquake-induced activity because of its location in a seismically active region as discussed in section "3.6 a)*i" above*. The proposed buildings would be required to be constructed to meet Bell Gardens building code seismic requirements to mitigate unforeseen natural ground faulting. The construction of the apartments to comply with the Bell Gardens building code would reduce potential strong seismic ground shaking impacts to less than significant.

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[6] Geotechnical Investigation, Proposed Senior Housing Development, 5714, 5720, 5722, and 5800 Clara Street, Bell Gardens, CA, Geocon Geotechnical Consultants, June 6, 2008, page 5.

[7] Ibid, page 6.

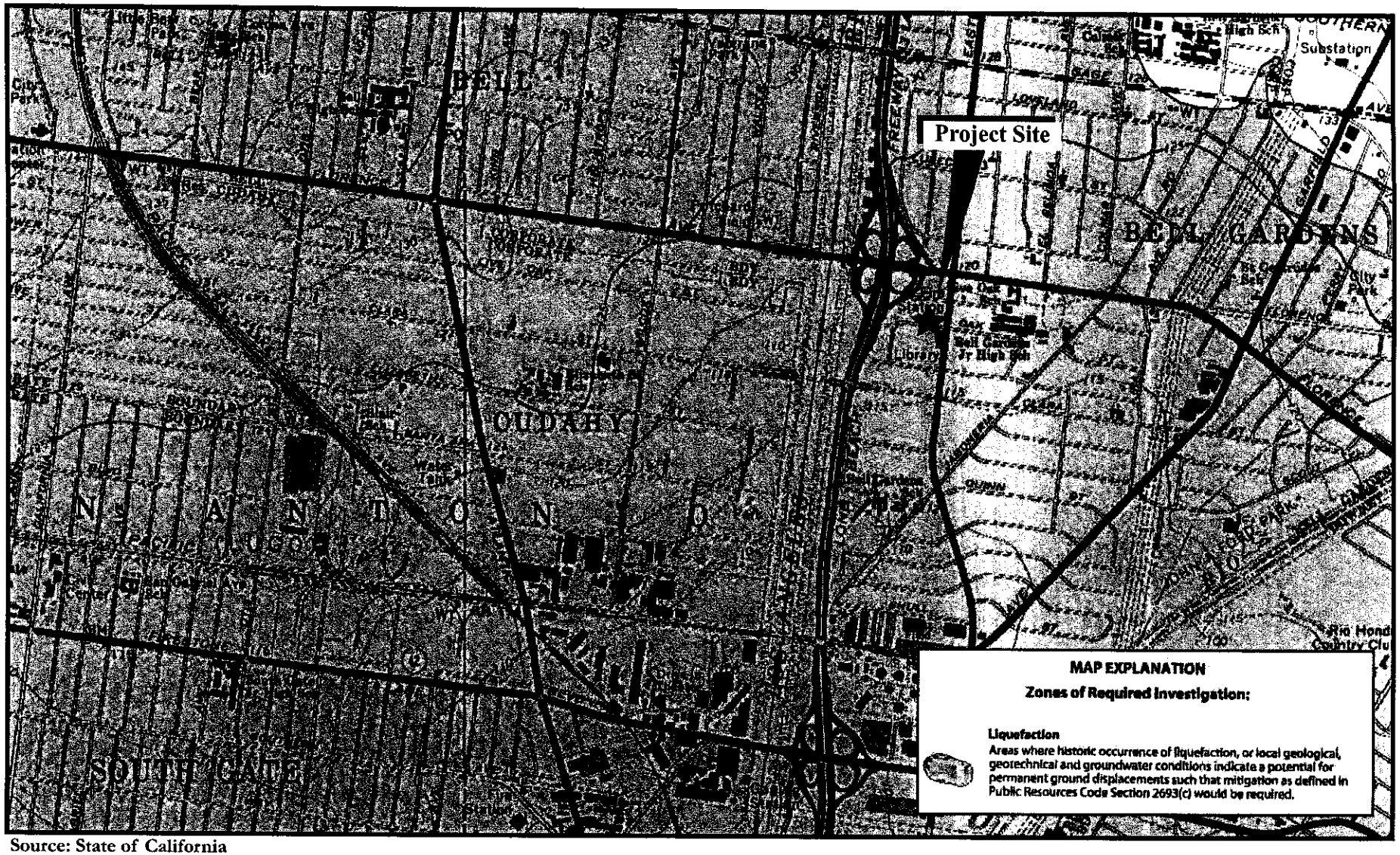
iii) ***Less Than Significant Impact With Mitigation.*** According to the State of California Seismic Hazard Zones, the project site is located within an area designated as "liquefiable" as shown in Figure 8. As a result, the site could experience up to ½ inch of total settlement due to liquefaction. The geotechnical reports provides recommendations that when implemented, along with city building code requirements would reduce potential liquefaction impacts to less than significant. The following measure is recommended to mitigate potential liquefaction impacts.

GEO 1. All recommendations listed in the preliminary geotechnical report to correct liquefaction constraints and acceptable to the City Engineer shall be incorporated into the design and construction of the project.

iv) ***No Impact.*** The project site and surrounding areas are basically flat and not prone to slope instability hazards such as landslides. There are no slopes or hillsides either on or adjacent to the site that could impact the project. The project would not have any landslide impacts.

b) ***No Impact.*** Soil erosion could occur during the demolition of the existing buildings, grading and project construction especially during the winter months when rainfall typically occurs. The City would require the project developer to install and maintain all applicable soil erosion protection measures to minimize soil erosion prior to the start of demolition and throughout the period of project construction. To control erosion during construction, the City would also require the project developer to identify erosion control measures during the preparation of the final grading plan. The City would require the project developer to install all applicable erosion control measures prior to the start of grading and be maintained throughout the construction period. The project would not have any significant soil erosion impacts because proper soil erosion control measures would be required to be installed and maintained throughout the period of construction to reduce soil erosion. In addition, all shrubs, plants, and flowers of the approved landscaped plan would be planted and properly maintained to further prevent soil erosion during the life of the project.

c) ***No Impact.*** The existing buildings have been on the site for over 58 years. The medical office building was constructed in 1949 and the apartment buildings in 1958. Seven (7) soil borings have been drilled on the site within the past three years with four borings drilled as recently as May 9, 2008 in conjunction with the preparation of the geotechnical investigation for the project. The earth materials that were encountered during subsurface explorations consisted of artificial fill materials. The fill generally consists of soft to loose, dark brown to brown to light brown, sandy silt and sand with sand. The underlying soils are Holocene Age alluvial soils that consist



Source: State of California

PMA
Phil Martin & Associates

Figure 8
Seismic Hazard Zones

primarily of interbedded brown to olive brown to yellowish brown sand, silty sand, sandy silt, silt with sand and silt. The Holocene Age alluvial soils are primarily moist, medium soft to firm and loose to medium dense to an approximately depth of 30½ feet beneath the existing ground surface.[8] The project would not have any significant unstable soil impacts with incorporation of the recommendations in the geotechnical report. The City would ensure that all structures are built in compliance with the geotechnical report.

d) ***No Impact.*** The City of Bell Gardens General Plan does not identify any expansive soil on the site. The geotechnical investigation did not identify any potential expansive soil impacts with the project and states that the surface soils have a very low expansion potential.[9] The project would not have any expansive soil impacts.

e) ***No Impact.*** The site would not have to support the use of septic tanks because the City would not allow septic tanks. The City will require the project to connect to the public sewer system and not allow septic tanks for wastewater disposal.

3.7 HAZARDS AND HAZARDOUS MATERIALS

A Phase I Environmental Assessment was prepared for the project. A copy of the Phase I Environmental Assessment is included as Appendix C.

a) ***No Impact.*** The proposed residential use would not create any significant hazards by transporting, using, or disposing hazardous materials. The development of senior apartments does not include any activities that are either associated with or known to create a hazard to the public. As with all residential development the residents are not anticipated to transport or dispose of hazardous materials in addition to those materials and household cleaning materials that are typically used for normal household cleaning. Therefore, the project would not have any adverse hazardous material impacts.

b) ***No Impact.*** The project would not release hazardous materials into the environment because there are no uses or activities associated with senior apartments that involve the use of hazardous materials that could be released and impact the environment. The storage and use of small quantities of janitorial cleaning materials and supplies would not create a significant hazard to the public if used in compliance with all applicable laws and regulations.

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[8] Geotechnical Investigation, Proposed Senior Housing Development, 5714, 5720, 5722, and 5800 Clara Street, Bell Gardens, CA, Geocon Geotechnical Consultants, June 6, 2008, page 3.

[9] Geotechnical Investigation, Proposed Senior Housing Development, 5714, 5720, 5722, and 5800 Clara Street, Bell Gardens, CA June 6, 2008, page 11.

c) ***No Impact.*** Bell Gardens Intermediate School, located at 5841 Live Oak Street, is the closest public school to the site. The school is located less than one-quarter mile north of the site. The project would not use or generate any known hazardous materials or hazardous emissions that would impact the students or administrators at the Bell Gardens Intermediate School.

d) ***No Impact.*** The project is not located within one-quarter mile of any facility that generates or might reasonably be expected to emit hazardous emissions and impact the project. The Phase I Environmental Assessment did not identify any known or suspected contamination sites in the area surrounding the property that could impact the project directly.[10] Thus, there are no uses within one-quarter mile of the site that emit hazardous emissions and impact the project residents.

e) ***No Impact.*** The Phase I Environmental Assessment included a review of the available federal and state databases along with information obtained from local regulatory agencies, a visual site inspection, aerial photographs search, and the research of the history of the site to determine the past uses of the property. The physical site survey and the agency files indicate the site was undeveloped agricultural land from at least 1928 to sometime prior to 1938. In 1938 a small structure was located in the northeast corner of the site. A building permit in 1946 indicated a 20 foot by 24 foot building was used for slaughtering chickens. In 1949, the current medical office building was constructed. Building permits in the mid-1950s show there was a café and an office for a skating rink. The current apartment buildings were constructed in 1958 and in 1978 the café and skating rink office were demolished. The area of the site where the café and skating rink office once existed has remained vacant since they were demolished. The site has not used as a former hazardous waste site, waste disposal site, or solid waste disposal site based on the research of data bases and the field survey. Therefore, there is no evidence of conditions indicative of releases or threatened releases of hazardous substances.[11] The project is not anticipated to have any hazardous waste impacts.

f) ***No Impact.*** The project site has not been used for any use in the past that would prevent the site from being sufficiently free of hazardous materials for residential use. Refer to Section "3.7 e)" above and the environmental site assessment[12] for information on hazards associated with the site. Based on the hazardous information that has been completed to date regarding the former and existing uses on the site, the site is sufficiently clear of hazards and suitable for development as proposed without any hazardous impacts.

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[10] Phase I Environmental Assessment, 5714 Through 5726 Clara, Bell Gardens, CA, June 10, 2008, SCS Engineers, page iv.
[11] Ibid.
[12] Phase I Environmental Assessment, 5714 Through 5726 Clara, Bell Gardens, CA, June 10, 2008, SCS Engineers, page iv.

g) ***No Impact.*** The project is not located within 2 miles of a public airport. The closest public airport to the site is Hawthorne Airport, which is located approximately 13 miles to the west. Los Angeles International Airport is the next closest airport located approximately 17 miles west of the project site. The project would not impact airport operations at any public airports in the region or result in a safety hazard for people living or the project site. The project would have no safety impacts with regards to being within two miles of a public airport.

h) ***No Impact.*** The closest private airport to the site is the Compton Woodley Airport located approximately five miles to the south. Due to the distance, the project would not impact airport operations at the Compton Woodley Airport or result in a safety hazard for people living or working on or near the project site. The project would have no safety impacts to a private airport.

i) ***No Impact.*** The City of Bell Gardens has an Emergency Operations Plan[13] that is referenced in the event of a natural or man-made disaster. The Emergency Operations Plan would be referenced and implemented as required should a disaster occur on the site or in the vicinity of the site that would require the evacuation of the project residents. There are no uses or activities associated with the project that would interfere with the implementation and operation of the Bell Gardens Emergency Operations Plan. The site is served by a network of public streets with suitable unobstructed width for public emergency vehicle access to access the site in the event of an emergency. That same public street network would allow project residents to evacuate and leave the site if required for emergency purposes. All on-site driveways and the parking lot would be required to provide minimum driveway widths and suitable access for evacuation and implementation of an emergency response plan. The project does not propose any use or design that would impact the ability of Bell Gardens to implement its Emergency Operations Plan.

j) ***No Impact.*** The Bell Gardens General Plan does not identify any areas in the city that are subject or exposed to wild land fires. Being urbanized the city is subject to urban fires that can spread under certain weather conditions. However, the project would not be exposed to or impacted by wild land fires.

k) ***No Impact.*** There are no above ground water or fuel storage tanks within 1,500 feet of the site. In addition, there are no known above or underground pipelines or easements within 1,500 feet that would impact the site other than typical public utilities such as underground natural gas lines for residential and commercial use. The project would not be impacted by any underground fuel storage tank or pipeline that would impact the project.

[13] City of Bell Gardens Emergency Operations Plan, July 23, 2008.

3.8 HYDROLOGY AND WATER QUALITY

A Standard Urban Storm Water Mitigation Plan (SUSMP) and a preliminary hydrology report were prepared for the project. The documents are included as Appendix D for reference.

a) ***Less Than Significant Impact.*** The project could impact water quality due to silt and debris being carried from the site by surface water runoff during grading and construction. The quality of storm water runoff is regulated under the National Pollution Discharge Elimination System (NPDES). The NPDES storm water permit provides a mechanism for monitoring the discharge of pollutants and establishing appropriate controls to minimize the entrance of such pollutants into storm water runoff. As a co-permitee to the County (NPDES No. CAS614001), the City requires all development projects in its jurisdiction to comply with the NPDES requirements for construction and operations as appropriate. As such, the project developer would be required to install and maintain all applicable soil erosion control measures prior to the start of construction to reduce erosion and minimize water quality impacts. The project developer would be required by the City of Bell Gardens to submit a SUSMP to the city prior to the issuance of a grading permit. The City would require that all applicable erosion control measures are installed and maintained during project construction to control water quality impacts. The installation and maintenance of the erosion control measures as approved by the city would minimize the amount of silt, debris and other sediments that could be generated from the site. Because the project would be required to meet all applicable NPDES requirements to protect water quality no significant water quality standard violation impacts are anticipated.

   The project is also required to collect the first ¾ of an inch of rainfall that falls on the site. The SUSMP proposes a wet well system to collect and retain the first ¾ of an inch of rainfall. Along with its retention, all debris and trash from the first ¾ of an inch of rainfall will be removed as required by law.

b) ***Less Than Significant Impact.*** There are four groundwater basins in the Los Angeles coastal plain. The City of Bell Gardens is within the Central basin. Water movement is generally from points of recharge (percolation areas, spreading grounds, streams, open space) to points of discharge (groundwater wells, ocean, and springs), due to differences in pressure between these points. The major recharge area in the coastal plain is the Whittier Narrows areas. The project would eliminate open space on the site that presently allows absorption and ground water recharge. The project would replace the existing permeable open space area that allows water percolation with impermeable surfaces including apartment buildings, drive aisles, parking lot, and sidewalks. While the project would incrementally reduce land for rainfall percolation, the elimination of the approximately 4,000 square feet of existing permeable area would not substantially deplete

groundwater supplies or interfere with groundwater recharge. As with the previous uses on the site, the Golden State Water Company, which obtains its water from a combination of water from the Colorado River, Metropolitan Water District and the Central Groundwater Basin, would provide water for the project. The Central Groundwater Basin is bounded on the north by the La Brea uplift, the east by the Elysian, Repetto, Merced and Puente Hills, the southeast by the Orange County Groundwater Basin and on the west by the Newport Inglewood Fault Zone.[14] The amount of permeable land that would be eliminated by the project for groundwater percolation is insignificant in comparison to the area of the Central Groundwater Basin that provides partial water supplies to the city. Thus, the project would not significantly impact local groundwater supplies and the ability of Golden State Water Company to serve the project with water in the future.

c) ***No Impact.*** Due to the flatness of the site the project would not require substantial alteration to the existing drainage pattern. Currently most of the onsite surface water flows generally southwest to the alley along the west project boundary towards existing catch basins at the northeast corner of the intersection of Eastern Avenue and Jaboneria Road. Once the surface water enters the catch basin the water drains south and west and eventually empties into the Los Angeles River that is west of the site. A very small amount of surface water from the site flows north to Clara Street. Once in Clara Street the surface water drains west in the existing curb and gutter along Clara Street and then south in Eastern Avenue.

As with the existing condition the majority of the surface water from the project will flow in a southwesterly direction to the existing alley and eventually into catch basins at Eastern Avenue and Jaboneria Road. Also like the existing condition, a small amount of project surface water will flow to Clara Street, west to Eastern Avenue and south to existing catch basins. All surface water will ultimately drain to the Santa Ana River and the Pacific Ocean. Concrete ribbon gutters will be constructed in the parking lot to convey surface water north to Clara Street and southwesterly to the existing alley. The project surface water would not alter the existing course of a stream or river or result in substantial erosion or siltation on or off the site.

d) ***No Impact.*** As discussed in "3.8 c" above, the project would not alter the drainage patterns on the site. The hydrology report estimates the project would generate 0.12 cubic feet per second (cfs) of storm water less than presently generated from the site during a storm. Because the project would generate less surface water than the existing condition, the project would have a positive impact on drainage by reducing the amount of rainfall that is generated into the existing storm drain system that serves the site. As a result, the storm water volume would not cause flooding downstream of the

[14] Golden State Water Company Water Quality Report 2008, page 5.

site and would incrementally reduce the potential for downstream flooding due to a reduction in the quantity of surface water runoff due to the project.

e) ***No Impact.*** As discussed in "3.8 d" above the project would incrementally reduce by 0.12 cfs the amount of surface water runoff generated by the project compared to the existing condition. As a result, the project would not impact the local and regional storm drain system, but rather have a positive impact by incrementally increasing the capacity of the downstream storm drain system to handle increased flow from other development in the tributary area.

The project would not provide substantial additional sources of polluted runoff because the project developer would be required to install and maintain all applicable erosion measures to control erosion and reduce silt to minimize polluted water as identified in the SUSMP that was prepared for the project (Appendix D). There are no uses or activities associated with the project that would provide substantial sources of polluted runoff. The project would not have any significant storm drain capacity or polluted runoff impacts.

f) ***No Impact.*** The project would not degrade water quality because the project developer would be required to submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for review prior to the issuance of a grading permit, install and maintain best management practices as required by law to minimize water quality impacts throughout the time of construction. The project would not have water quality impacts with implementation of all applicable city required water quality control measures.

g) ***No Impact.*** The project site is located in Flood Zone X[15], which is an area that has a 1% annual chance of flood with average depths of less than 1 foot and areas that are protected by levees from 1% annual chance of flooding. The project would not place housing within a flood hazard area.

h) ***No Impact.*** The project site is located outside a 100-year flood zone. Therefore, the project would not place any structures in a flood hazard area.

i) ***Less Than Significant Impact.*** The City of Bell Gardens is subject to inundation from a dam failure with the Whittier Narrows and Sepulveda Dams and the Garvey Reservoir. The entire City and certainly portions of the City east of Garfield Avenue could be subject to flooding due to river channel overflow of the Rio Hondo River.[16] The project site would be subject to inundation from the failure of all three dams. However, as also stated in the City's Emergency Operation Plan, "Because of the current design and construction practices and ongoing programs of review and modification,

[15] Federal Emergency Management Agency, Flood Insurance Rate Map Panel 1810 of 2350, Map No. 06037c181OF, Effective September 26, 2008.

[16] City of Bell Gardens Emergency Operations Plan, July 23, 2008, page 39.

catastrophic dam failure is considered unlikely".[17] The Emergency Operation Plan has emergency response actions that would be implemented to protect project residents in the event of a dam failure. Since the project site is unlikely to be inundated from the failure of a dam or levee and the city has measures that would be implemented to protect the site and the residents from flooding the potential expose of people to a significant risk of flooding if a levee or dam failed is less than significant.

j) ***No Impact.*** There are no bodies of water such as lakes or water tanks adjacent to or in the immediate vicinity of the site that would inundate the project due to a seiche. The site is approximately fifteen miles east of the ocean and due to the distance from the ocean the project would not be inundated by a tsunami. There are no hillsides adjacent to or on the site that would inundate the site due to a mudflow.

3.9 LAND USE AND PLANNING

- ***No Impact.*** The project proposes to develop a parcel of land that is currently developed and surrounded by existing development. The project would not divide an established community because the project would remain on the existing site.

- ***Less Than Significant Impact.*** The General Plan land use designation for the site is Mixed Use and zoned R-3 (Medium Density Multiple) by the City of Bell Gardens Zoning Ordinance. The R-3 zoning requires a minimum lot size of 5,000 square feet and allows one unit per lot. Lots comprising 43,560 square feet (1 acre) or larger are allowed one unit per 1,750 square feet[18]. The project site total approximately 73,918 square feet (1.7 acres). Therefore the R-3 zoning allows the development of 42 units whereas the project proposes 65 units, which are 23 units more than allowed by the zoning. Government Code 65915 allows a 20% density bonus for senior housing and in 2005 SB 435 allowed an additional bonus for affordable senior units. As a result, the 64 senior apartments and one manager's unit is allowed in the R-3 zone along with the additional units allowed by Government Code 65915. The project would not conflict with the Bell Gardens General Plan or the zoning ordinance.

  The R-3 zone allows a maximum building height of 35 feet or two stories, whichever is less.[19] The project proposes two apartment buildings that are less than 35 feet in height. The taller of the two buildings is 34' 11 7/8" which is less than the maximum allowed height of 35. While the apartment buildings are less than 35 feet they are three stories in height, which exceeds the R-3 height criteria. Therefore, the project will require a height variance to the R-3

[17] Ibid, page 46.
[18] City of Bell Gardens Zoning Ordinance, Title 9, Article 9-2, Chapter 9.10, Table 9.10B, page 48.
[19] City of Bell Gardens Zoning Ordinance, Title 9, Article 9-2, Chapter 9.10, Table 9.10B, page 49.

zone to allow the construction of two three-story buildings. Since the apartment buildings are less than the maximum 35 foot height limit, the buildings would not have a significant height impact by exceeding the 35 foot height restriction.

- ***No Impact.*** The project site in not located within any applicable habitat conservation plans or natural community conservation plans. Thus, the project would not conflict with or impact any applicable habitat conservation plan or natural community conservation plan.

3.10 MINERAL RESOURCES

a) ***No Impact.*** There is no mining activity on the site or the project area. There are no known mineral resource on the site or in the immediate project vicinity that are of value to the region or state residents that would be lost due to the development of the project. The project would not impact mineral resources.

b) ***No Impact.*** The Bell Gardens General Plan does not identify any locally important mineral resource on the site. Therefore, the project would not result in the loss of availability of a locally important mineral resource and impact any important mineral resources.

3.11 NOISE

A noise assessment was prepared for the project. A copy of the noise assessment is included as Appendix E.

a) ***Less Than Significant Impact.*** The description, analysis and reporting of community noise levels around communities is made difficult by the complexity of human response to noise and the myriad of noise metrics that have been developed for describing noise impacts. Each of these metrics attempts to quantify noise levels with respect to community response. Most of the metrics use the A-Weighted noise level to quantify noise impacts on humans. A-Weighting is a frequency weighting that accounts for human sensitivity to different frequencies.

Noise metrics can be divided into two categories: single event and cumulative. Single-event metrics describe the noise levels from an individual event such as an aircraft fly over or perhaps a heavy equipment pass-by. Cumulative metrics average the total noise over a specific time period, which is typically 1 or 24-hours for community noise problems. For this type of analysis, cumulative noise metrics will be used.

Several rating scales have been developed for measurement of community noise. These account for: (1) the parameters of noise that have been shown to contribute to the effects of noise on man; (2) the variety of noises found in

the environment; (3) the variations in noise levels that occur as a person moves through the environment; and (4) the variations associated with the time of day. Based on these effects, the observation has been made that the potential for a noise to impact people is dependent on the total acoustical energy content of the noise. A number of noise scales have been developed to account for this observation. The two noise scales are the Equivalent Noise Level (LEQ) and the Community Noise Equivalent Level (CNEL). These scales are described in the following paragraphs.

LEQ is the sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period. LEQ is the "energy" average noise level during the time period of the sample. LEQ can be measured for any time period, but is typically measured for 1 hour. This 1-hour noise level can also be referred to as the Hourly Noise Level (HNL). It is the energy sum of all the events and background noise levels that occur during that time period.

CNEL, Community Noise Equivalent Level, is the predominant rating scale now in use in California for land use compatibility assessment. The CNEL scale represents a time weighted 24-hour average noise level based on the A-weighted decibel. Time weighted refers to the fact that noise that occurs during certain sensitive time periods is penalized for occurring at these times. The evening time period (7 p.m. to 10 p.m.) penalizes noises by 5 dBA, while nighttime (10 p.m. to 7 a.m.) noises are penalized by 10 dBA. These time periods and penalties were selected to reflect people's increased sensitivity to noise during these time periods. A CNEL noise level may be reported as a "CNEL of 60 dBA," "60 dBA CNEL," or simply "60 CNEL."

Ldn, the day-night scale is similar to the CNEL scale except that evening noises are not penalized. It is a measure of the overall noise experienced during an entire day. The time-weighted refers to the fact that noise that occurs during certain sensitive time periods is penalized for occurring at these times. In the Ldn scale, those noise levels that occur during the night (10 pm to 7 am) are penalized by 10 dB. This penalty was selected to attempt to account for increased human sensitivity to noise during the quieter period of a day, where home and sleep is the most probable activity.

L (%) is a statistical method of describing noise which accounts for variance in noise levels throughout a given measurement period. L (%) is a way of expressing the noise level exceeded for a percentage of time in a given measurement period. For example since 5 minutes is 25% of 20 minutes, L (25) is the noise level that is equal to or exceeded for five minutes in a twenty-minute measurement period. It is L (%) that is used for most Noise Ordinance standards. For example most daytime County, state and City Noise Ordinances use an ordinance standard of 55 dBA for 30 minutes per hour or an L(50) level of 55 dBA. In other words, the Noise Ordinance states

that no noise level should exceed 55 dBA for more than fifty percent of a given period.

NOISE CRITERIA

The Noise Ordinance and Noise Element of the General Plan contain the City's policies on noise. The Noise Ordinance applies to noise on one property impacting a neighboring property. Typically, it sets limits on noise levels that can be experienced at the neighboring property. The Noise Ordinance is part of the City's Municipal Code and is enforceable throughout the City. The Noise Element of the General Plan presents limits on noise levels from transportation noise sources, vehicles on public roadways, railroads and aircraft. These limits are imposed on new developments. The new developments must incorporate the measures to ensure that the limits are not exceeded.

Noise Element

The City of Bell Gardens General Plan Noise Element does not have any specific outdoor and indoor noise standards for land uses impacted by transportation noise sources. Thus, the State of California's noise standards will be utilized. The State's interior and exterior noise standards are in terms of the Community Noise Equivalent Level (CNEL). For residential uses, the standards specify that residential buildings shall not exceed an interior of 45 CNEL. Many communities utilized a 65 CNEL outdoor noise standard. Therefore, it is recommended that sensitive outdoor areas such as private patio areas and recreational areas meet the 65 CNEL noise standard.

Noise Ordinance

The City of Bell Gardens Noise Regulation Chapter 16.24 contains a noise ordinance. The Noise Ordinance is designed to control unnecessary, excessive and annoying sounds from sources on private property by setting limits that cannot be exceeded at adjacent properties. The Noise Ordinance requirements cannot be applied to mobile noise sources such as heavy trucks when traveling on public roadways, trains, or aircraft. Control of noise generated by these sources is preempted by Federal and State laws and is therefore, not subject to the provisions of the Noise Ordinance. All activities within the City are subject to the Noise Ordinance unless specifically exempted.

The Noise Ordinance includes several categories of noise sources, including construction operation restriction, which cannot take place between the hours of 7:00 p.m. of one day and 8:00 a.m. the next day within a residential zone or within a radius of 500 feet of a sensitive receptor unless a permit is issued beforehand.

EXISTING ROADWAY NOISE LEVELS

The highway noise levels projected in this report were computed using the Highway Noise Model published by the Federal Highway Administration ("FHWA Highway Traffic Noise Prediction Model," FHWA-RD-77-108, December, 1978). The FHWA Model uses traffic volume, vehicle mix, vehicle speed, and roadway geometry to compute the "equivalent noise level." A computer code has been written which computes equivalent noise levels for each of the time periods used in the calculation of CNEL. Weighting these equivalent noise levels and summing them gives the CNEL for the traffic projections used. CNEL contours are found by iterating over many distances until the distances to the 60, 65, and 70 CNEL contours are found.

The distances to the CNEL contours for the adjacent roadways that impact the project site are given in Table 7. The contours presented in Table 7 represent the distance from the centerline of the roadway to the contour value shown. Note the values in Table 7 do not take into account the effect of any noise barriers or topography that may affect ambient noise levels.

Table 7
Existing Traffic Noise Levels

Roadway Segment	CNEL @ 100'	Distance To CNEL Contour from Centerline of Roadway (feet) 70 CNEL	65 CNEL	60 CNEL
Eastern Avenue				
North of Clara Street	*65.8*	53	114	245
South of Clara Street	*65.5*	50	108	234
Clara Street				
East of Eastern Avenue	*62.3*	RW	66	143
West of Eastern Avenue	*64.7*	RW	95	206
Jaboneria Road				
South of Clara Street	*59.2*	RW	RW	88

†– From roadway centerline.
RW - Noise contour falls within roadway right-of-way.

Table 7 shows that noise levels in the areas immediate adjacent to Eastern Avenue and Clara Street are substantial and exceed 65 CNEL. The residential uses along these roadways with existing noise barriers (concrete block walls) likely do not experience noise levels in excess of the 65 CNEL standard. Noise levels along Jaboneria are in excess of 60 CNEL.

POTENTIAL NOISE IMPACTS

Potential noise impacts are commonly divided into two groups; temporary and long term. Temporary impacts are usually associated with noise generated by construction activities. Long-term impacts are further divided into impacts on surrounding land uses generated by the project and those impacts that occur at the project site.

TEMPORARY NOISE IMPACTS

The peak construction noise level at the nearest residence adjacent to the site could exceed 90 dBA resulting in a significant impact to residences if uncontrolled.

The most effective method of controlling construction noise impacts to adjacent residents is limiting construction hours. The City of Bell Gardens Noise Regulation Chapter 16.24 includes construction operation restrictions, which prohibits construction between the hours of 7:00 p.m. of one day and 8:00 a.m. the next day within a residential zone, or within a radius of 500 feet of a sensitive receptor unless a permit is issued beforehand. The following mitigation measures are proposed to reduce construction noise impacts to adjacent noise sensitive residents.

Mitigation Measures:

NS 1. Construction activities shall be prohibited between the hours of 7:00 p.m. of one day and 8:00 a.m. the next day.

NS 2. Construction shall not occur on Sunday or a national holiday.

Long Term Noise Impacts

Long-term off-site impacts from traffic noise are measured against two criteria. Both criteria must be met for a significant impact to be identified. First, project traffic must cause a substantial noise level increase (greater than 3 dB) on a roadway segment adjacent to a noise sensitive land use. Second the resulting future with project noise level must exceed the criteria level for the noise sensitive land use. In this case, the criteria level is 65 CNEL for residential land uses.

In community noise assessment, changes in noise levels greater than 3 dB are often identified as significant, while changes less than 1 dB will not be discernible to local residents. In the range of 1 to 3 dB, residents who are very sensitive to noise may perceive a slight change. Note that no scientific evidence is available to support the use of 3 dB as the significance threshold. In laboratory testing situations, humans are able to detect noise level changes of slightly less than 1 dB. In a community noise situation, however noise

exposures are over a long time period and changes in noise levels occur over years, rather than the immediate comparison made in a laboratory situation. Therefore, the level at which changes in community noise levels become discernible is likely to be some value greater than 1 dB, and 3 dB appears to be appropriate for most people.

Long Term Noise Impacts

Table 8 shows the incremental traffic noise level increases on roadways in the vicinity of the project due to the project. Examining the noise increase due to the project shows that this noise increase will be less than the 3 dB threshold criteria. As shown in Table 8, the project is not projected to result in a substantial noise increase (i.e., increases greater than 3 dB) along any of the existing roadway segments. The project will not result in a significant off site noise impact.

Table 8
Traffic Noise CNEL Increases (dB)

Roadway Segment		Existing Increase Due To Project
Eastern Avenue		
	North of Clara Street	*0.02*
	South of Clara Street	*0.01*
Clara Street		
	East of Eastern Avenue	*0.01*
	West of Eastern Avenue	*0.01*
Jaboneria Road		
	South of Clara Street	*0.03*

The distances to the existing plus the project 60, 65 and 70 CNEL contours for the roadways in the vicinity of the project site are shown in Table 9. The values shown under the 60, 65, and 70 CNEL columns represent the distance from the centerline of the road to the respective contour value. The CNEL at 100 feet from the roadway centerline is also presented. The contours do not take into account the effect of any noise barriers or topography that may reduce traffic noise levels.

LONG-TERM ON-SITE NOISE IMPACTS

This section examines the noise impacts to the project itself from activities that could occur off-site, but potentially impact the site.

Table 9
Existing Plus Project Traffic Noise Levels

Roadway Segment	CNEL @ 100' †	Distance To CNEL Contour from Centerline of Roadway (feet) 70 CNEL	65 CNEL	60 CNEL
Eastern Avenue				
North of Clara Street	*65.8*	53	114	246
South of Clara Street	*65.5*	50	109	234
Clara Street				
East of Eastern Avenue	*62.3*	RW	66	143
West of Eastern Avenue	*64.7*	RW	96	206
Jaboneria Road				
South of Clara Street	*59.2*	RW	RW	89

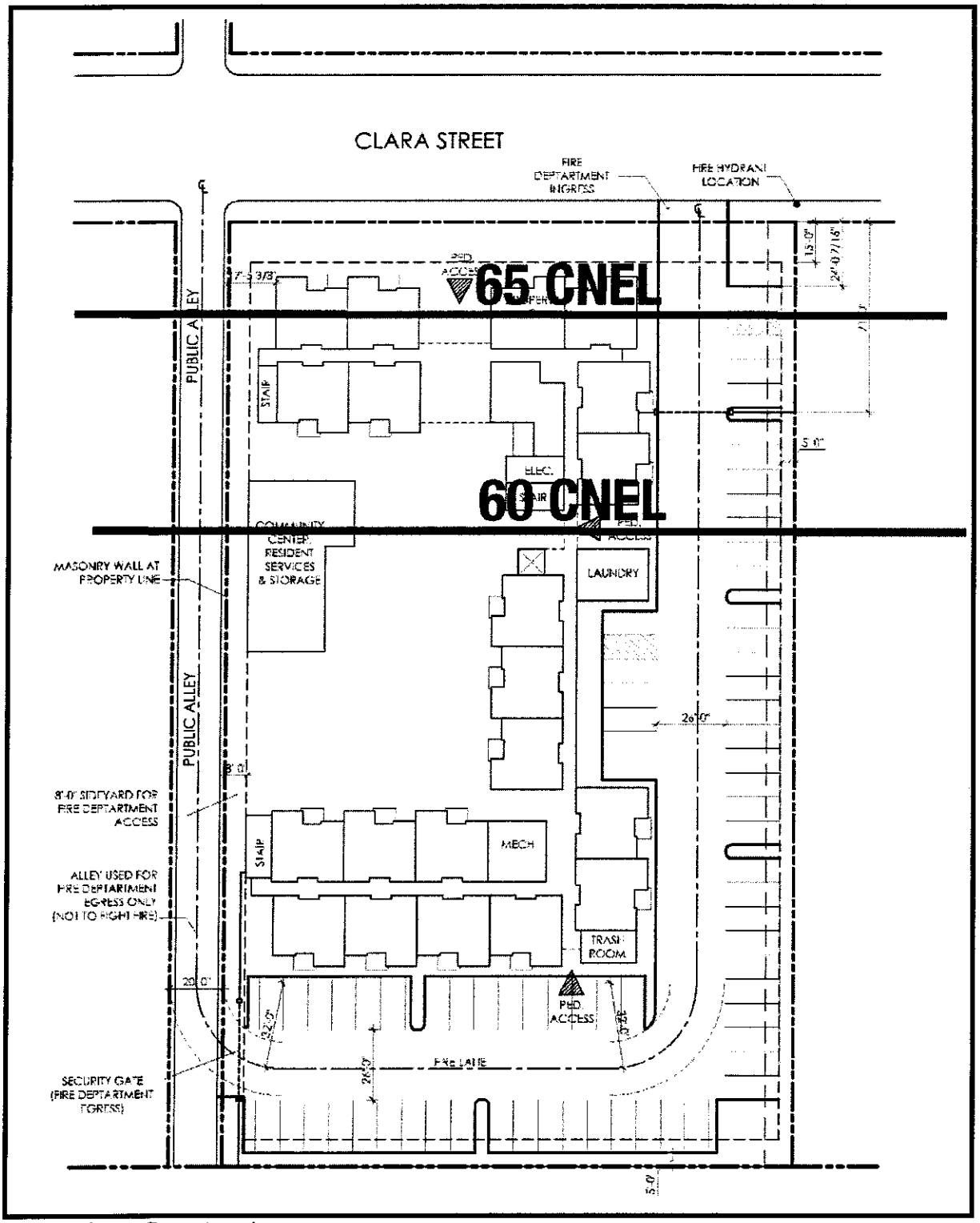
RW – Noise contour falls within roadway right-of-way.
† From Roadway Centerline

On-Site Traffic Noise Levels

Figure 9 shows the on-site noise exposure contours for the project site. The project's sensitive outdoor uses such as private patio areas and recreational areas should comply with the outdoor noise standard 65 CNEL. The closest buildings on the project site are located approximately 50 feet from the centerline of Clara Street. Figure 9 shows that closest homes could be exposed to a noise level of approximately 67 CNEL. Thus, the proposed buildings will be required to achieve 22 dB of outdoor-to-indoor noise reduction to meet the City's 45 CNEL interior noise standard for residential uses. Typical building construction, which includes mechanical ventilation to allow windows to remain closed, can achieve at least 20 dB of outdoor-to-indoor noise reduction. Detailed calculations are required to properly demonstrate that a building achieves more than 20 dB of noise reduction. The calculations require near complete architectural drawings for the proposed apartment buildings, which are not yet available. Buildings requiring more than 20 dB of outdoor-to-indoor noise reduction to meet the applicable noise standard are potentially significantly impacted and will require mitigation to ensure they meet the City's noise standards. This can usually be determined in a subsequent interior noise study.

The following mitigation measure is recommended to reduce interior noise levels to acceptable levels.

NS 3. Prior to the issuance of a building permit, a detailed noise assessment shall be prepared to demonstrate the interior levels shall not exceed 45 CNEL. Additionally, the noise assessment shall show



Source: Mestre Greve Associates

PMA
hil Martin & Associates, Inc.

Figure 9
Noise Contours

compliance with the outdoor noise standard of 65 CNEL and be applied to all private patio and recreation areas. The noise assessment shall be prepared by a qualified acoustical consultant and document the source of noise impacting the buildings and describe measures required to meet the City noise standard. All recommended measures to reduce noise levels to City standards shall be incorporated into the building plans.

b) ***Less Than Significant With Mitigation.*** The project would expose adjacent residents to ground borne vibration and ground borne noise levels during project grading and building construction due to the operation of heavy construction and soil compaction equipment as well as electrical and pneumatic equipment. The duration of ground borne vibration and noise levels would be short-term and only last a few days during the operation of the equipment. The largest source of vibration would be during the time to remove soil for the foundations of the apartment buildings and compact the soil for the new building foundations. Ground vibration and noise would not occur during the entire time to construct the project, only during actual grading and compaction activities. The ground borne vibration and construction noise would be temporary and primarily associated with initial grading and foundation work, which is done in the early phase of the actual building construction process. The ground borne vibration and construction noise would potentially impact those residents that are closest to the site - adjacent to and east and south of the site. Restricting foundation excavation and compaction to daytime hours during the week would reduce and minimize the number of adjacent residents that would be impacted and the duration of the time they would be impacted.

The operation of electrical and pneumatic construction equipment such as electric saws, nail guns, etc. could also generate noise and impact residents closest to the site. Restricting construction hours to those allowed by the Noise Ordinance would reduce noise impacts to adjacent residents to acceptable levels.

The following mitigation measures would reduce ground borne vibration and construction noise impacts to less than significant.

Mitigation Measure:

NS 4. All construction activities should be limited to the hours between 8 AM to 7 PM Monday through Saturday. All construction shall be prohibited on Sundays and national holidays.

NS 5. All building foundation excavation and compaction shall be restricted to the hours of 8 AM to 5 PM Monday through Friday.

NS 6. The following constructing practices be implemented by all project contractors to reduce construction noise levels:

- Ensure that construction equipment is properly muffled according to industry standards. All power construction equipment shall utilize noise shielding and muffling devices.
- Locate the construction staging area and noise-generating equipment away from adjacent residents as much as feasible.
- Schedule high noise-producing activities between the hours of 8 AM and 6 PM to minimize disruption to adjacent residents.

c) ***Less Than Significant Impact.*** As stated in Section "a" above, the increased long-term traffic noise level to the area roadway system due to the project is estimated to be less than 0.03 dB on the area roadways. As noted above, any noise level increase less than 3 dB is usually unnoticed by the average person, thus a 0.03 dB increase in noise level would not be perceptible and would not impact area residents. The increased number of automobiles on the site compared to the current condition and the noise generated by those vehicles such as doors slamming, cars starting, car alarms, etc. would result in periodic noise level increases. However, these are short-term events lasting short-periods of time and would not significantly increase the ambient noise levels in the area. While the project would increase the daily noise level on the site compared to the existing condition the noise level increase by a senior apartment project is not anticipated to be significant and exceed City noise level standards.

d) ***Less Than Significant With Mitigation.*** As discussed in "7a" above, the project would have temporary and periodic noise level increases during project construction. As noted, construction noise would occur and increase the ambient noise levels in the project vicinity during the short-term construction period. Implementation of the recommended mitigation measures in "a)" above along restricting construction noise to the hours allowed by the municipal code would mitigate short-term construction noise impacts to less than significant.

e) ***No Impact.*** As noted in Section "7g" above, the closest public airport to the project site is Hawthorne Airport, which is located approximately 13 miles to the west. Los Angeles International Airport is the next closest airport located approximately 17 miles west of the project site. The project would not impact airport operations at any public airports in the region or result in a safety hazard for people living or the project site. The project would have no safety impacts with regards to being within two miles of a public airport.

f) ***No Impact.*** The Compton Woodley Airport, which is located approximately five miles south of the site, is the closest private airport to the site as noted in Section "7h" above. Thus, the project is not located within two miles of a

private airport. The project would not expose project residents to excessive noise levels from a private airport.

3.12 POPULATION AND HOUSING

a) ***Less Than Significant Impact.*** The 65 senior apartments are estimated to generate approximately 97 residents[20]. The 16 vacant apartments on the site are estimated to have housed approximately 73 residents[21]. Therefore, the project is estimated to result in a net increase of 24 people. The project does not require the extension of roads or any other infrastructure to serve the project. The existing infrastructure has adequate capacity to serve the project without any upgrades or extensions. The project will not induce a substantial population growth due to the extension or an increase in the capacity of the existing infrastructure.

There is a need for affordable senior apartments in Los Angeles County, including Bell Gardens and surrounding communities. While many of the affordable senior apartments are anticipated to be occupied by existing city residents, some units may be occupied by seniors that live outside Bell Gardens. Senior citizens that live outside the community and move into the apartments will incrementally increase the population of Bell Gardens. The city anticipates that most of the future residents live in Bell Gardens, thus the project is not anticipated to directly generate an increase in the city's population and induce a substantial growth in the city's population. The future residents of the project would only result in the relocation of existing residents from their current place of residence in Bell Gardens to the project site, which would not increase the city's population. However, the argument could be made that the residences that are vacated by the seniors could be occupied by people moving into Bell Gardens, thus increasing the city's population. Some of the residents that may move into the proposed project may currently live with relatives, friends, or have other housing arrangements and upon their relocation would not result in a vacant apartment or other types of housing that would necessitate a replacement tenant. Therefore, the relocation of seniors into the project would not always result in an equal replacement of tenants. While the project could be expected to result in an incremental increase in the city's population, the increase is not anticipated to be significant and impact the population and housing numbers for the City's Housing Element. People would not, for the most part, move specifically to the site from outside the city and result in, or induce, a substantial population growth. The future tenants of the project are anticipated to be generated largely from within the City of Bell Gardens, not from people relocating to the site from outside the city.

[20] Based on an average of 1.5 residents/unit.
[21] Based on an average of 4.61 residents/unit per Census 2000 data.

The project also would not extend roads or infrastructure or construct new public roads or infrastructure that would induce a population growth in Bell Gardens. According to the California Department of Finance, *2005 City / County Population and Housing Estimates*, the City of Bell Gardens was estimated to have a population of 46,766 people with an estimated 4.82 persons per household as of January 1, 2008.[22] The project would not significantly increase the number of people that live in Bell Gardens and as a result, would not significantly change or impact the city's estimated population.

b) ***Less Than Significant Impact.*** The project will require the demolition of 16 vacant apartments. The tenants that previously occupied the apartments have moved to other replacement housing either in Bell Gardens or other areas outside Bell Gardens. Although the project will remove 16 apartments, no tenants will be displaced because the units are and have been vacant. The project proposes to construct 65 apartments, resulting in a net increase of 49 apartments. While the apartments are restricted to affordable senior residents, the project does provide replacement housing to the 16 units that will be demolished by the project. The project would have a less than significant impact with regards to displacing housing by resulting in a net increase of 49 apartments.

c) ***Less Than Significant Impact.*** The apartments are vacant so the demolition of the apartments would not displace any current tenants. The proposed 65 apartments could provide replacement housing for any of the previous residents that were seniors and meet the affordable housing criteria. The project would have less than significant impacts to people because it provides replacement housing even though it is limited to affordable seniors.

3.13 PUBLIC SERVICES

a) ***Less Than Significant Impact.*** The Los Angeles County Fire Department provides fire protection for the City of Bell Gardens. The project would incrementally increase the demand for fire protection services by the Fire Department. Due to an increase in the number of residents on the site, the Department would receive an incremental increase the number of service calls, which could impact their ability to respond to other service calls for fire protection. The project would be required to provide all applicable fire protection measures to comply with the building and fire codes. The incorporation of all applicable fire protection, fire suppression, fire alarms, etc. required by law to provide adequate fire safety would minimize project impacts to the Fire Department. The project provides a second point for emergency access from an existing alley at the southwest corner of the site. The compliance of the project with all applicable building and fire codes for

[22] State of California Department of Finance, Table 2: E-5 City/County Population and Housing Estimates, 1/1/2008

fire prevention and suppression would allow the Fire Department to provide an adequate level of service. The project is anticipated to have a less than significant impact to fire protection with the incorporation of all applicable fire and safety protection measures that are required for senior apartments.

b) ***Less Than Significant Impact.*** The City of Bell Gardens Police Department provides police protection for the city. The project would be expected to incrementally increase the demand for police services due to an increase in the number of residents on the site compared to the existing condition. The project would be required to install and maintain all building code and police department measures for safety and security such as adequate building exterior and parking lot lighting, safety door and window latches, no vegetation around windows to provide hiding places, clear visibility of the apartment units from Clara Street for police patrol units, etc. The project is not anticipated to significantly increase the number of additional calls for police service and impact the Department due to the various safety and security measures that would be required to be installed. Therefore, the project would have less than significant impacts on law enforcement services in the City of Bell Gardens Police Department.

c) ***No Impact.*** The project is in the Montebello Unified School District. The schools that serve the site include Bell Gardens Elementary School, Bell Gardens Intermediate School, and Bell Gardens High School.

The project would not generate students to area schools because the project is restricted to seniors, residents 55 years and older and children are not allowed. Although the project would not generate any students, the project would be required to pay school impact fees. The District collects a school impact fee of $2.97 per square foot for residential development and based on approximately 37,420 square feet of building area, the project would be required to pay a school impact fee of approximately $111,137.00. The exact school impact fee would be calculated and paid at the time building permits are issued. The payment of the required school impact fee would mitigate any impact the project would have on the District.

d) ***No Impact.*** The closest parks to the site are Gallant Park (0.27 acres), which is less than a quarter to the east and John Anson Ford Park (48 acres), less than one mile to the east. Gallant Park is considered a mini-park due to its size and the park facilities include a picnic table, bar-b-que grills, benches, park lighting, swings, a play structure, a sand area, and a small turf area. The senior residents are not anticipated to use existing city park facilities to the level they would significantly impact the parks. While some residents may use existing parks more than presently, the use is not anticipated to significantly increase and impact on city parks. Therefore, the project would not impact city parks.

e) ***No Impact.*** There are no other public facilities or city services that would be significantly impacted by the project. The developer would be required to pay public services impact fees that would be used to provide facilities and services that would be demanded by project residents to minimize the impacts of project residents to city facilities.

3.14 RECREATION

a) ***No Impact.*** The project would not significantly impact the usage of existing recreational facilities because the senior residents are not anticipated to use public recreational facilities to a level that would impact the facilities. The two parks closest to the project could provide recreational facilities for the residents. However, because the closest park is at least a quarter mile from the site, most of the residents would not walk to Gallant Park. For the residents that choose to walk to Gallant Park the number is anticipated to be minimal and unlikely to impact the park. John Anson Ford Park is approximately one mile east of the site and residents would most likely drive to that recreational facility. Again, it is not anticipated that project residents would significantly increase and impact that park due to the distance from the site. The project is not anticipated to impact either Gallant or John Anson Ford or any other city recreational facilities.

b) ***No Impact.*** The project proposes a separate Community Room within the project site. The Community Room would provide an area for project residents and their guests to meet for a variety of passive recreational activities. These passive facilities would meet the needs of most residents and the construction of new or the expansion of existing city recreational facilities would not be required. The project would not impact recreation facilities.

3.15 TRANSPORTATION/TRAFFIC

A traffic analysis was prepared for the project and a copy is included as Appendix F.

a) ***Less Than Significant Impact.*** Traffic counts were taken at the intersection of Clara Street at Eastern Avenue for both the morning and afternoon peak hours (AM, PM) to obtain current traffic volumes. The existing level of service (LOS) at this intersection is LOS A in the AM peak hour and LOS C in the PM peak hour. This intersection operates at an acceptable level of service, LOS D or better (City of Bell Gardens standard), during both the morning and afternoon peak hours.

The project is estimated to generate approximately 226 average daily traffic trips including 6 AM peak hour and 8 PM peak hour trips based on rates

published in the Institute of Transportation Engineers, *Trip Generation, 7th* Edition.

The Los Angeles County Congestion Management Program (CMP) Traffic Assessment (TIA) guidelines, which were followed in the preparation of the traffic study, establishes that a project requires a full traffic analysis if a project adds 50 or more peak hour traffic trips to a CMP route/intersection. Because the project does not add more than 50 peak hour trips to a CMP intersection the project is not considered to significantly impact the surrounding transportation network. Based on the results of the traffic analysis, the project would not significantly impact the Clara Street at Eastern Avenue intersection or any other area intersections.

b) ***Less Than Significant Impact.*** The project would not have any significant cumulative traffic impacts because the project is generating fewer than 226 daily trips. As noted in "3.15 a" above, the project is estimated to generate only 6 AM and 8 PM peak hour trips, which will not result in any significant cumulative traffic impacts.

c) ***No Impact.*** The project would not require the removal of any existing bus stops, bicycle racks, or other existing modes of alternative transportation. The project would not conflict with any adopted City policies that support alternative transportation.

d) ***No Impact.*** The project fronts on the south side of Clara Street, which is 47 feet wide from curb to curb at this location. There is a single west bound travel lane and two east bound travel lanes that transition to a single east bound lane in front of the site. The project entrance is proposed for the northeast corner of the site that is located at the point the two east bound lanes converge into a single east bound lane. Clara Street carries approximately 10,000 average daily vehicle trips and along with the transition of two lanes to a single lane at the project entrance there could be potential impacts associated with vehicles entering and exiting the site.

The traffic consultant prepared a striping plan for Clara Street to provide safe turning movements into and out of the project. The proposed striping plan would improve project ingress and egress. The implementation of the recommended striping improvements on Clara Street would have a positive impact by eliminating the existing hazards associated with the current street design.

The following mitigation measures are recommended to improve ingress and egress at the project entrance.

TR 1. The site plan shall include the following striping improvements and shall be provided before the first occupancy permit.

- At the intersection of Eastern Avenue and Clara Street, re-stripe both the east bound and west bound vehicle movements to allow for one left-turn lane, one thru-lane, and a defacto right turn lane (defacto right-turn is a non-striped right-turn lane that is assumed to exist when the pavement is a minimum of 19 feet from the curb line to the lane stripe).
- Modify the existing striping on Clara Street in front of the project site to include one 18 foot travel lane in both the east and west bound directions and a striped 11 foot wide two-way left turn lane median to help facilitate left-turns in and out of the project driveway.
- Maintain the current "No Stopping Any Time" zone along the entire length of the project frontage on Clara Street.

e) ***No Impact.*** The project proposes two points of access for emergency vehicle. The primary emergency vehicle access is the project entrance on Clara Street at the northeast corner of the site. The second point of emergency vehicle access is from the alley along the west project boundary at the southwest corner of the site. A locked gate at the alley emergency vehicle access will prohibit public access while allowing fire department access for emergencies. The two proposed points of access to the site would provide adequate emergency access without any significant impacts. The project would not impact or restrict the ability of emergency vehicles to access the site to responds to an emergency.

f) ***Less Than Significant Impact.*** The City of Bell Gardens does not have specific parking requirements for senior housing. However, the Institute of Transportation Engineers (ITE) Parking Generation (3rd Edition) report and other parking generation research on Adult Senior Housing facilities reveal the maximum peak parking demand by senior facilities does not exceed 0.68 spaces per dwelling unit, regardless of the number of bedrooms. The project proposes a total of 70 parking spaces, including 65 spaces for project residents, 4 visitor spaces, 1 handicap space, and 1 drop-off space. Based on the number of proposed units, the 65 parking spaces would be adequate to meet the parking needs of the residents. The 65 parking spaces will be protected by an electronic gate to ensure the parking spaces are available for use by the residents only, not the general public. The 4 visitor spaces are adequate to meet the parking needs of the general public. Overall, the project provides an adequate number of parking spaces.

3.16 UTILITIES AND SERVICE SYSTEMS

a) ***Less Than Significant Impact.*** The project is located in District No. 2 of the County Sanitation Districts of Los Angeles County, which provides sewage treatment for the City of Bell Gardens. All wastewater generated by the

project would be treated at the Joint Water Pollution Control Plant located in the City of Carson. The wastewater generated by the project is estimated to be approximately 10,140 gallons per day[23] and would not exceed the capacity of the Carson treatment plant. Although the project would incrementally increase the quantity of wastewater treated at this facility, the project wastewater would not cause the Joint Water Pollution Control Plant in the City of Carson to exceed treatment requirements of the Regional Water Quality Control Board. The project would have a less than significant impact on the Districts ability to meet Regional Water Quality Control Board wastewater treatment requirements.

b) ***Less Than Significant Impact.*** The wastewater generated by the project would enter a local sewer line in Clara Street that is maintained by the City and then flow downstream to a trunk sewer line system that is owned and maintained by the County Sanitation Districts. Wastewater from the project would enter into a city sewer line in Clara Street and flow west to a County trunk sewer in Eastern Avenue and then south to the Carson treatment plant.[24] The wastewater generated by the project would be treated at the Joint Water Pollution Control Plant in the City of Carson, which has a design capacity of 400 mgd and currently processes an average flow of 311.7 million gallons per day (mgd).[25] The project is estimated to generate approximately 10,140 gallons per day of sewage (7,044 net gallons per day when deducting the former on-site uses), which would not significantly impact the wastewater treatment plant. The Districts are authorized to charge a fee for the privilege of connecting to the District's Sewerage System or increasing the strength or quantity of wastewater attributable to a particular parcel or operation already connected. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee would be required before a permit to construct to the sewer is issued. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the design capacities of the Districts wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). All expansion of Districts' facilities must be sized and service phased in a manner that would be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The project would not generate sewage that would impact the capacity of the Carson treatment plant. The payment of the required connection fee would allow the Districts to expand the plants, if necessary to accommodate the project. The project would have a less than significant impact on sewer facilities.

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[23] Los Angeles County Sanitation Districts, Table 1 Loading For Each Class of Land Use; Residential – Five Units or More, 156 gallons per unit per day.

[24] County Sanitation Districts of Los Angeles County, Ronnie Bertner, Engineering Technician, telephone communication August 1, 2008.

[25] Ibid.

The Southern California Water Company provides water to the site from an eight inch water main in Clara Street adjacent to the site. Water service for the project would also be served by this water main. While Southern California Water estimates it can serve the project with an adequate water supply, the project developer would have to submit final building plans to determine if any upgrades to the existing water main would be required in order to provide adequate water supply and fire flow. If required, the project developer would be required to construct any upgrades to the existing water main to ensure an adequate water supply and fire flow is available for the project.

c) ***No Impact.*** The project would generate approximately 0.12 cubic feet per second (cfs) of storm water less than presently generated from the site. As a result, the project would have a positive impact to the local storm drain system by incrementally increasing its capacity. The project would be required to retain the first ¾ of an inch of rainfall on the site. The first ¾ inch or rainfall can be retained by either a surface retention facility or an underground retention basin upon approval by the City Engineer. Any surface flows greater than the first ¾ inch of rainfall would be directed to the alley west of the site and ultimately to catch basins at the northeast corner of the intersection of Eastern Avenue and Jaboneria Road. Because the first ¾ inch of rainfall would have to be retained on-site and the fact the project would generate less surface water than existing conditions the project would not impact the existing storm drain system that serves the site.

d) ***Less Than Significant Impact.*** The project would increase the amount of water consumed compared to the existing condition. While the project would increase the consumption of water, the existing water supplies are sufficient to serve the project with existing entitlements without any significant impacts.

e) ***Less Than Significant Impact.*** The County Sanitation Districts of Los Angeles County has adequate capacity to treat the wastewater that would be generated by the project without impacting their ability to treat wastewater from existing commitments.[26]

f) ***Less Than Significant Impact.*** The Puente Hills Landfill serves the City of Bell Gardens. The City of Bell Gardens Municipal Code[27] encourages recycling when feasible to reduce solid waste volume. The project would be required to comply with the municipal code as applicable to reduce the volume of solid waste that would be generated from by the project. The solid waste generated by the project is not anticipated to have a significant impact on the life expectancy on the Puente Hills landfill because of recycling and the

[26] County Sanitation Districts of Los Angeles County, Ronnie Bertner, Engineering Technician, telephone conversation August 1, 2008.

[27] Municipal Code Title 16, Chapter 16.12 SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL.

resulting small amount of solid waste that would ultimately be hauled to the landfill. The solid waste generated by the project would have a less than significant impact on the life expectancy of the Puente Hills landfill.

g) ***No Impact.*** The City of Bell Gardens has a Recycling and Source Reduction Element to recycle materials and reduce the quantity of solid waste that is hauled to the landfill. The project would be required to implement all required solid waste reduction measures as part of the building permit process.

3.17 MANDATORY FINDINGS OF SIGNIFICANCE

a) ***No Impact.*** The project site is disturbed due to previous and existing development. Because the site has been disturbed and is in a highly urban area, there is no fish or wildlife habitat present on the site or on any of the property in the immediate project area. The project would not degrade the environmental quality of any fish and wildlife habitat or threaten to eliminate any plant or animal in the community because none exists on the site or property adjacent to the site. None of the buildings on the site qualify as historic structures. Therefore, no historical buildings would be impacted by the project. There is no evidence the on-site geology supports any paleontological resources that would be impacted by the project. The project does not have the potential to significantly impact any fish or wildlife species or eliminate any examples of California history or prehistory.

b) ***Less Than Significant Impact.*** The project does not have any individual impacts that could be cumulatively considerable. The individual impacts that have been identified by the project can be mitigated to less than significant levels by implementing the proposed mitigation measures. Therefore, the project impacts would not contribute to and have cumulatively considerable significant impacts.

c) ***Less Than Significant Impact.*** There are no impacts that have been identified with the project that could cause significant impacts either directly or indirectly on human beings. All potential impacts that have been identified can be mitigated to less than significant levels with implementation of recommended mitigation measures. As a result, the project would not cause significant adverse effects on human beings.

SECTION 4

References

I. City of Bell Gardens General Plan, July 27, 1995

II. City of Bell Gardens General Plan Update Final EIR, SCH 94111026, July 1995

III. City of Bell Gardens Municipal Code

IV. Air Quality Assessment for Bell Gardens Senior Housing, Mestre Greve Associates, August 19, 2008

V. Geotechnical Investigation, Proposed Senior Housing Development, 5714, 5720, 5722, and 5800 Clara Street, Bell Gardens, California, GEOCON Inland Empire Inc., June 6, 2008.

VI. Phase I Environmental Assessment, 5714 Through 5726 Clara Street, Bell Gardens, CA 90201 (APNs 6227-016-009, -027, and -028, SCS Engineers, June 10, 2008.

VII. Preliminary Hydrology Study for Senior Housing Project 5714 Clara Street, City of Bell Gardens, CA, Pro Active Engineering, August 2008

VIII. Noise Assessment for Bell Gardens Senior Housing, Mestre Greve Associates, August 19, 2008

IX. Terra Bella Traffic Study, Austin-Foust Associates, August 28, 2008